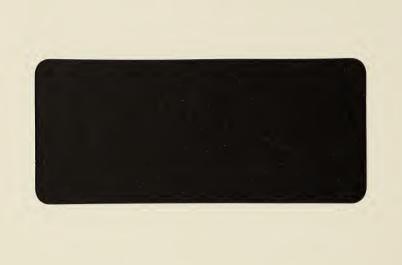
## 1998 EMPLOYMENT STANDARDS REGULATION REVIEW

MINIMUM WAGE PACKAGE



## 1998 EMPLOYMENT STANDARDS REGULATION REVIEW

MINIMUM WAGE PACKAGE



## 1998 EMPLOYMENT STANDARDS REGULATION REVIEW

MINIMUM WAGE PACKAGE



# News release

June 19, 1998

#### Minimum Wage of \$5.90 to be Phased-in Over One Year

Today in Fort McMurray the Alberta government caucus approved in principle to increase the minimum wage.

The increase will be phased in beginning with a \$.40 increase effective October 1, 1998, with further increases of \$.25 on April 1, 1999, and \$.25 on October 1, 1999. This will bring the province's minimum wage to \$5.90. The minimum wage is being phased-in to provide businesses time to prepare for the increase.

"Through a public review process chaired by Wayne Cao, MLA Calgary Fort, and through the Growth Summit, Albertans told us it was time to adjust the minimum wage", said Murray Smith, Minister of Labour. "Our Employment Standards Regulation Review provided the necessary platform on which to base this increase. With this adjustment our minimum wage continues to be an equitable entry level rate of pay for both workers and employers."

The increase to the minimum wage reflects increases to other economic indicators such as the consumer price index, average weekly earnings and the gross domestic product. Since 1992 (the last time the minimum wage was adjusted), the province's gross domestic product has increased by approximately 19 percent. The increase to Alberta's minimum wage, being phased-in between now and October 1999, represents an 18 percent increase.

The adjustment to the minimum wage also includes the removal of the student differential. Previously the minimum wage for students under 18 years of age was \$.50 less than the minimum wage for those over 18. Effective October 1, 1998, Alberta will have one minimum wage for all workers, thereby simplifying the regulation.

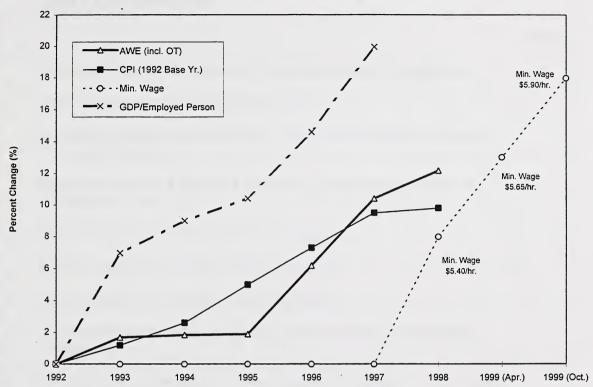
"Students are better trained and better skilled that ever before. Most students are working and contributing towards their post-secondary education and they should be paid the same rate as workers with comparable skills," said Murray Smith.

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For information contact: Charlotte Moran Alberta Labour 403/427-5585 moranc@lab.gov.ab.ca

Note to editors: Background information is attached.

# ECONOMIC INDICATORS Cumulative Percent Change (%) from 1992, Alberta



Cumulative % change from 1992	1992	1993	1994	1995	1996	1997	1998	1999 (Apr.)	1999 (Oct.)
AWE (incl OT)*	0%	2%	2%	2%	6%	10%	12%	N/A	N/A
CPI (1992 Base Yr.)**	0%	1%	3%	5%	7%	10%	10%	N/A	N/A
Minimum Wage***	0%	0%	0%	0%	0%	0%	8%	13%	18%
GDP/Employed Person****	0%	7%	10%	10%	14%	19%	N/A	N/A	N/A

<sup>\*</sup> Alberta Industrial Aggregate, Average Weekly Earnings Including Overtime (AWE incl. OT), Annual Average 1992 -1998 (Jan. to Feb.)

<sup>\*\*</sup> Alberta Consumer Price Index (CPI, 1992 Base Year), Annual Average 1992 -1998 (Jan. to April)

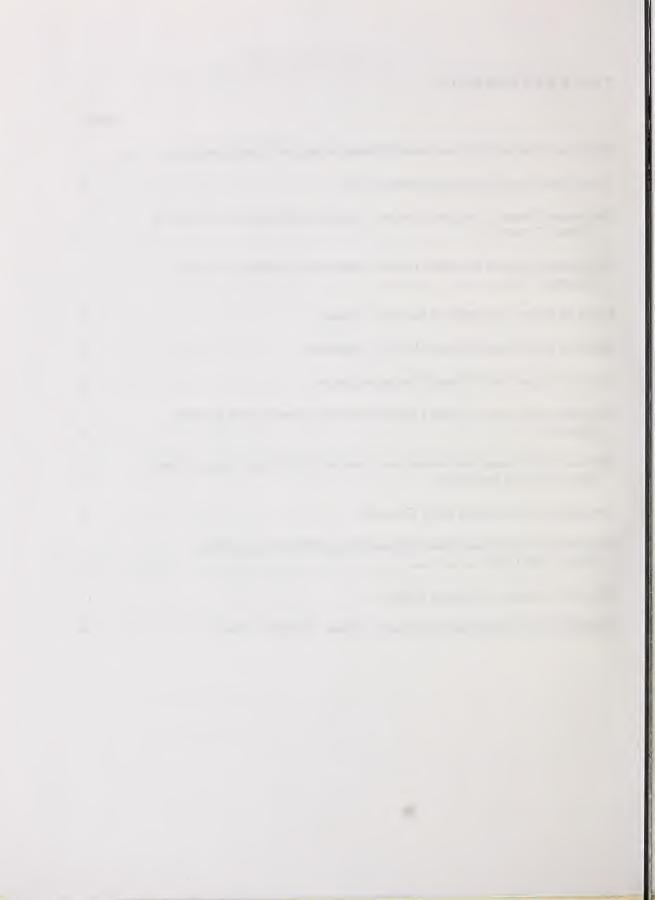
<sup>\*\*\*</sup> Alberta Minimum Wage Rate at \$5.40 effective October 1998, \$5.65 effective April 1999, and \$5.90 effective October 1999

<sup>\*\*\*\*</sup> Alberta Gross Domestic Product (GDP) at Market Price in Current Dollars per Employed Person (Annual Average 1992 to 1997 GDP data revised as of May 15, 1998)



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# News release

January 15, 1998 For Immediate Release

#### **Employment Standards Regulation Review**

Alberta Labour will conduct a public review of the *Employment Standards Regulation*. The *Regulation* establishes special provisions and exemptions to Alberta's *Employment Standards Code* for many occupations and industries. The review will also examine the requirements related to employment of persons under 18 years of age and the minimum wage.

"This public review is reflective of the Government's commitment to ensuring that regulations continue to be effective and appropriate," said Murray Smith, Minister of Labour. "There has never been a comprehensive review of the *Employment Standards Regulation*, and this process will give the public, industry and individual workers the opportunity to participate in making sure the *Regulation* reflects the needs of today's workplace."

The process includes a review of: employment of persons under 18 years of age; fees and costs for special services; minimum wage; exemptions from the *Code's* basic minimum standards for managers, supervisors, many professional workers, domestics, some salespersons, and film and video extras; and special provisions for industry sectors including: oilwell servicing, ambulance drivers and attendants, logging and lumbering, construction, taxi cab, and the trucking industry.

"This is an important undertaking. Employment standards affect the majority of people working in our province, and I would encourage all interested Albertans to participate," said Wayne Cao, MLA Calgary-Fort, who is working with Alberta Labour in the review process.

To participate in the *Employment Standards Regulation* Review, anyone can request a copy of the general review package and questionnaire, or a specific industry package, by contacting:

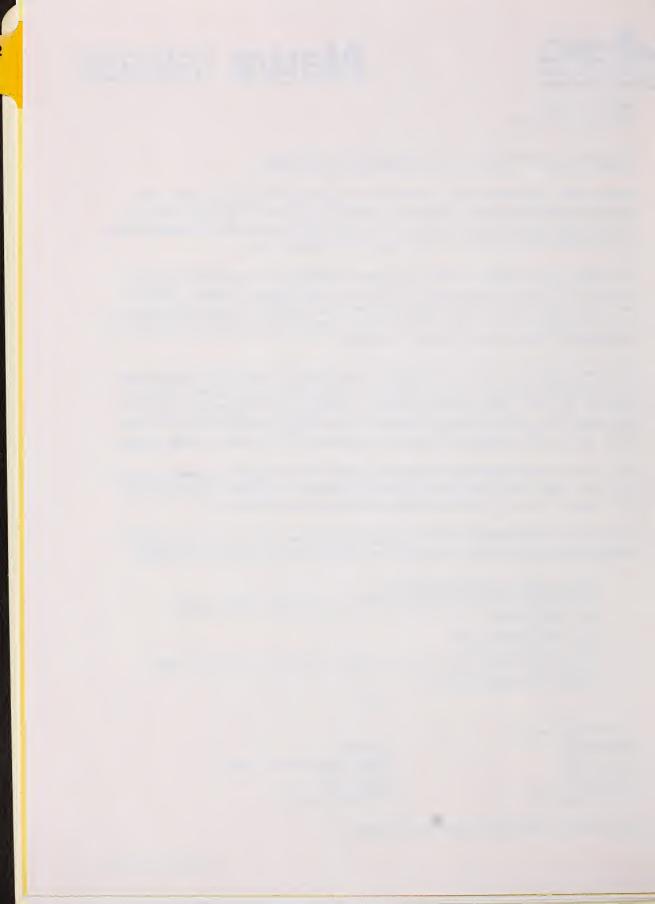
- Alberta Labour, Employment Standards
   403/422-3311 (toll-free by dialing 310-0000 then entering the 7 digit number)
   Fax: 403/427-6693
- Any Alberta Labour office
- MLA constituency offices
- Alberta Labour Home Page: http://www.gov.ab.ca/~lab (as of January 26, 1998)
- E-mail: esreview@lab.gov.ab.ca

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For information contact:

David Hennig Alberta Labour 403/427-5585 hennig@lab.gov.ab.ca Joe Miller Office of the Minister of Labour 403/427-3664 millerj@lab.gov.ab.ca

Note to editors: Background information is attached.





#### **Employment Standards Regulation Review**

January 15, 1998

Alberta Labour is reviewing the *Employment Standards Regulation* as part of the Government's commitment to efficiency and effectiveness.

The Employment Standards Regulation allows for special provisions and exemptions from the Employment Standards Code.

Alberta's *Employment Standards Code* establishes the minimum rights and obligations of employers and employees in Alberta. The *Code* is not part of the review.

#### Under Review (Regulation)

		** *
Мın	ımum	Wage

Employment of Persons under 18 years

Fees & Costs - fees for special services

*Exemptions* from the Code's basic minimum standards for: managers; supervisors; many professional workers; domestics; some salespersons; and film and video extras

Special Provisions that apply to a number of industry sectors, including: Oilwell Servicing; Ambulance Drivers and Attendants; Field Services (Catering, Geophysical Exploration, Land Surveying, Logging and Lumbering and some occupations within Municipalities); Highway, Railway Construction and Brush Clearing; Construction; Irrigation Districts; Nursery Industry; Taxi Cab Industry; and Trucking Industry

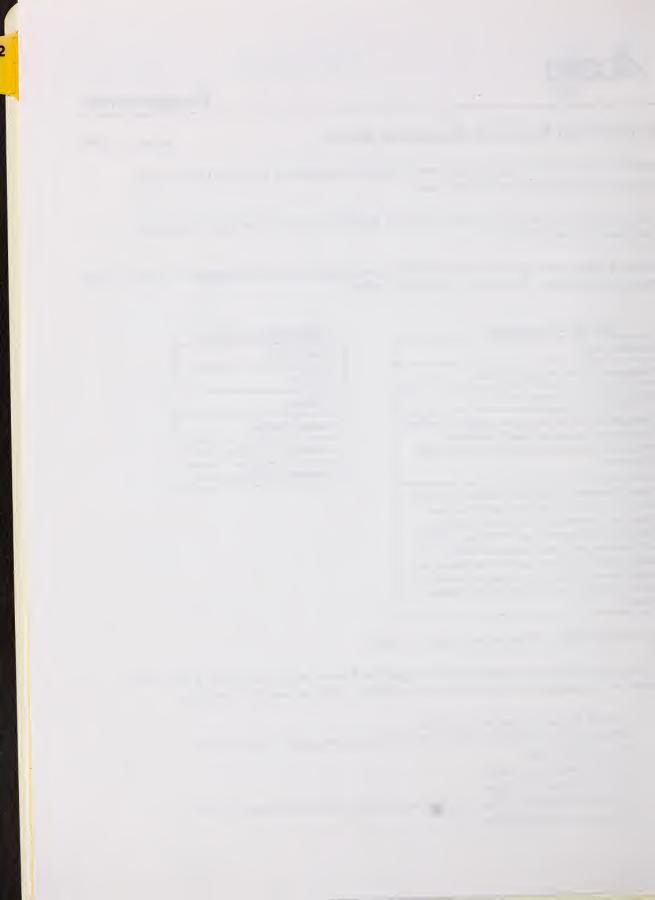
#### Not Under Review (Code)

Hours of Work
Overtime
Vacations
Statutory Holidays
Maternity and Adoption Leave
Termination of Employment

Submission deadline for the review is March 31, 1998.

To participate in the *Employment Standards Regulation* Review, anyone can request a copy of the general review package and questionnaire, or a specific industry package, by contacting:

- Alberta Labour, Employment Standards
  403/422-3311 (toll-free by dialing 310-0000 then entering the 7 digit number)
  Fax: 403/427-6693
- Any Alberta Labour office
- MLA constituency offices
- Alberta Labour Home Page: http://www.gov.ab.ca/~lab (as of January 26, 1998)
- E-mail: esreview@lab.gov.ab.ca





Office of the Minister

January 15, 1998

#### Dear Albertan:

Alberta Labour is reviewing the *Employment Standards Regulation* contained under the *Employment Standards Code* as part of our commitment to make government more efficient and effective. The review process is expected to be completed by the spring of 1999.

The *Employment Standards Code* contains the minimum rights and obligations of employers and employees in our province. The *Code* is not part of the review.

The *Employment Standards Regulation* allows for exemptions from the *Code* and sets out special provisions. This is our first extensive review of this regulation. The review will be looking at exemptions that apply to:

· managers and supervisors

· many professional workers

· some salespersons

· domestic workers

Also included in the review are Alberta's *Minimum Wage*, *Employment of Persons Under 18 years-of-age*, and *fees* assessed for providing special services related to employment standards.

In addition, provisions in the *Regulation* that apply to a number of *industry sectors* are being examined. A complete list of the sectors under review is included in the attached package.

I invite you to review this package and complete and return the enclosed survey by March 31, 1998 to:

Alberta Labour, Information Services (Surveys) 10557 - 108 St. N.W. Edmonton AB T5H 9Z9

Your ideas and comments are very important to us. Thank you for participating in this review.

Yours truly,

Murray Smith, MLA

Minister

Attachment





### LEGISLATIVE ASSEMBLY ALBERTA

## WAYNE CAO, M.L.A. Calgary Fort Constituency

March 9, 1998

#### Dear Albertan:

Recently you were sent a discussion paper and questionnaire inviting you to participate in our current review of the *Employment Standards Regulation*. This is our first comprehensive review of the regulation and it addresses a number of important issues for Alberta workplaces.

The thoughts and observations of Albertans are important to us ensure that the regulation adequately meets the needs of both employers and employees in today's rapidly changing workplace. If you have not already done so, I invite you to review the discussion material and provide your comments on any of the questions posed, as well as any other aspect of the regulation.

The specific issues covered by the regulation include:

- exemptions from the application of a number of standards set in the *Employment Standards Code*;
- minimum wage;
- employment of persons under 18 years; and
- special hours of work provisions for different industry sectors.

The submission deadline for the review is March 31, 1998. I invite you to call our special phone line at 422-3311 (toll-free by dialling 310-0000, then entering the 7 digit number) if you require additional information or additional copies of the review package.

Thank you for taking the time to participate and for contributing to the development of Alberta's workplace standards.

Sincerely,

Wayne Cao, MLA

Chair, Employment Standards Regulation Review





# News release

March 24, 1998 For Immediate Release

#### **Employment Standards Review Extended**

Alberta Labour is extending the deadline for submissions to its public review of the Employment Standards Regulation from March 31 to April 15, 1998. The review, which was announced on January 15, 1998, is examining the special provisions and exemptions to Alberta's Employment Standards Code that apply to many occupations and industries. It is also looking at the requirements related to employment of persons under 18 years of age and the minimum wage.

"The end of March is a busy time for many organizations and some industry sectors and individuals have indicated that they may have difficulty responding prior to our deadline," said Wayne Cao, MLA Calgary-Fort, Chair of the Employment Standards Review Committee. "We want to be flexible and ensure that interested Albertans, individual workers and industry representatives, have the opportunity to participate in this review. By extending the time-line we hope it will give people the time they need to share their thoughts with us and make sure this Regulation reflects the needs of today's workplace."

The Regulation review includes: employment of persons under 18 years of age; fees and costs for special services; minimum wage; exemptions from the Code's basic minimum standards for managers, supervisors, many professional workers, domestics, some salespersons, and film and video extras; and special provisions for industry sectors including: oilwell servicing, ambulance drivers and attendants, logging and lumbering, construction, taxi cab, and the trucking industry.

To participate in the Employment Standards Regulation Review, you can request a copy of the general review package and questionnaire, or a specific industry package, by contacting:

- Alberta Labour, Employment Standards 403/422-3311 (toll-free by dialing 310-0000 then entering the 7 digit number) Fax: 403/427-6693
- Any Alberta Labour office
- MLA constituency offices
- Alberta Labour Home Page: http://www.gov.ab.ca/~lab
- E-mail: esreview@lab.gov.ab.ca

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For information contact:

Wayne Cao MLA Calgary-Fort **Employment Standards Review Committee** 403/415-0984

David Hennig Alberta Labour 403/427-5585 hennig@lab.gov.ab.ca



## WAYNE CAO, M.L.A. Calgary Fort Constituency

March 26, 1998

#### Dear Albertan:

Alberta Labour has extended the deadline for submissions on the review of the *Employment Standards Regulation* to April 15, 1998.

I have included a copy of the March 24th news release announcing this extension. If you have not already responded, this extension provides you with extra time to reply. If you would like additional copies of the review package, please contact:

- Alberta Labour, Employment Standards 403/422-3311 (toll-free by dialing 310-0000 then entering the 7 digit number)
  - Fax: 403/427-6693
- Any Alberta Labour officeMLA constituency offices
- Alberta Labour Home Page: http://www.gov.ab.ca/~lab
- E-mail: esreview@lab.gov.ab.ca

I encourage you to provide your comments so we can ensure this *Regulation* meets the needs of today's workplace.

Sincerely,

Wayne Cao, MLA

Chair, Employment Standards Regulation Review

Enclosure





# General Discussion Paper and Questionnaire

If you have any questions please contact Alberta Labour, Employment Standards at 422-3311 (outside Edmonton, dial 310-0000 and ask for 422-3311 to be connected toll-free).

Questions and requests can also be addressed by e-mail to esreview@lab.gov.ab.ca. Any documents related to the regulation review can be obtained through the Internet by visiting our home page at: http://www.gov.ab.ca/~lab





#### **Employment Standards Regulation Review**

Discussion Paper

#### Part 1

#### Introduction

Alberta Labour has initiated a comprehensive review of the Employment Standards Regulation. The objective is to eliminate provisions where possible, and amend them where necessary to reflect changing realities in the workplace.

This discussion paper provides background information to assist in identification of the issues, and includes a questionnaire for your response.

The review will address only the Employment Standards Regulation. Changes to the Employment Standards Code and its provisions are not under consideration at this time.

#### **Process**

Information packages include this discussion paper, questionnaire, and a copy of the regulation. The packages are available through any office of Alberta Labour as well as in constituency offices of MLAs. Packages are being sent to a variety of organizations. including unions, employer organizations, industry and professional organizations. The package will also be provided to individuals who express an interest in participating in the process.

The results of the responses will be recorded and provide the basis for recommendations that will be considered by government. Depending on the nature of the responses received, focus groups may be established to address specific issues.

#### Overview of the Regulation

Alberta's employment standards are outlined in the Employment Standards Code and the Employment Standards Regulation.

The Regulation addresses a number of distinct areas:

- Exemptions from one or several of the core employment standards;
- Minimum wage;
- Variations to hours of work and overtime calculations for a number of industries;
- Special rules for the payment of vacation pay and general holiday pay to workers in the construction industry;
- Restrictions on the employment of persons under the age of 18;
- Reciprocal arrangements with other jurisdictions for the collection of money owing to employees;
- Fees for services and costs recovery.

Note that most of the regulation's provisions do not impose obligations, but rather provide a relaxation of the standards and procedures contained in the Employment Standards Code.

Where existing provisions are no longer relevant or can no longer be justified, they will be removed from the regulation.

#### Supplementary Discussion Papers

A supplementary discussion paper has been prepared for each of the industries subject to hours of work and overtime variations (Part 3 of the regulation). These are:

- Ambulance drivers and attendants Field services
- Irrigation districts

- Highway and railway construction Nursery industry
- Taxi cab industry Trucking industry

and brush clearing

Oilwell servicing

A supplementary paper discussing the payment of general holiday pay and vacation pay in the construction industry (Part 4 of the regulation) is also available. Those who have a particular interest in

any of these areas can obtain the relevant documents on request by contacting Alberta Labour, Employment Standards or by visiting our home page on the Internet at http://www.gov.ab.ca/~lab.

#### **Exemptions From Core Employment Standards**

(Sections 2 to 5 and 8, Employment Standards Regulation)

This part addresses instances where occupational, professional or industry groups are exempted from one or more of the *Employment Standards Code*'s core standards. The table below identifies each of the affected groups and the standards from which they are exempt.

	Core Standard					
Category of Employee Subject to Exemption	Records, Hours of Work and Overtime	General (Statutory) Holidays	Vacations and Vacation Pay	Notice of Employment Termination	Minimum Wage	
Salespersons						
Travelling	Exempt	Exempt	Exempt	Applies	Applies-\$200/wk	
Automotive and recreational vehicles, mobile homes, farm machinery, construction equipment	Exempt	Exempt	Applies	Applies	Applies-\$200/wk	
New homes sold by the builder	Exempt	Applies	Applies	Applies	Applies-\$200/wk	
Realtors, securities and insurance sales	Exempt	Exempt	Exempt	Applies	Exempt	
Salesperson for direct seller or commercial agent	Exempt	Applies	Applies	Applies	Applies	
Professionals						
Architect (including student)	Exempt	Applies	Applies `	Applies	Applies	
Certified general accountant (including student)	Exempt	Applies	Applies	Applies	Applies	
Certified management accountant	Exempt	Applies	Applies	Applies	Applies	
Chartered accountant (including student)	Exempt	Applies	Applies	Applies	Exempt	
Chiropractor	Exempt	Applies	Applies	Applies	Applies	
Dentist	Exempt	Applies	Applies	Applies	Applies	
Professional engineer, geologist or geophysicist (including student)	Exempt	Applies	Applies	Applies	Applies	
Lawyer (including student)	Exempt	Applies	Applies	Applies	Exempt	
Optometrist	Exempt	Applies	Applies	Applies	Applies	
Podiatrist	Exempt	Applies	Applies	Applies	Applies	
Psychologist	Exempt	Applies	Applies	Applies	Applies	
Veterinarian	Exempt	Applies	Applies	Applies	Applies	
Licensed land agent	Exempt	Applies	Applies	Applies	Exempt	
Other						
Managers, supervisors, and those employed in a confidential capacity	Exempt	Applies	Applies	Applies	Applies	
Extra in film or video	Exempt	Exempt	Exempt	Applies	Exempt	
Person engaged in an approved work experience program	Applies	Applies	Applies	Applies	Exempt	
Domestic worker	Exempt	Exempt	Applies	Applies	Exempt	
Construction worker	Applies	Applies*	Applies*	Exempt	Applies	

<sup>\*</sup> Construction workers are subject to different rules regarding the payment of general holiday pay and vacation pay. A supplementary discussion paper on this issue is available on request.

- Should the existing exemptions continue, be removed, or be added to? For example, are the exemptions that apply to the various categories of sales and professional persons appropriate? If not, what changes should be made?
- What is an appropriate definition of a person "employed in a confidential capacity"?
- Should a person in an approved work experience program be subject to any of the standards?

#### Minimum Wage

(Sections 7, and 9 to 13, Employment Standards Regulation)

In addition to setting the actual amount of the minimum wage, this part also addresses minimum pay when reporting for work and permissible deductions from wages.

The minimum wage in Alberta is currently \$4.50 per hour for employees who are students under the age of 18. Other employees in Alberta are entitled to a minimum wage of \$5.00 per hour. Certain categories of salespersons are entitled to a minimum wage of \$200 per week.

When an employee is employed for less than 3 hours the employer is required to pay at least 3 hours at the minimum wage. Exceptions to this rule are students under 18, school bus drivers and part time employees in some recreational or athletic programs. In those situations employment of less than 2 hours requires pay of at least 2 hours at the applicable minimum wage.

This part of the regulation also sets limits on the amount of room and board that may be charged to an employee. If an employee is supplied with board and/or lodging, the deduction for meals may not reduce the employee's wage below the minimum wage by more than \$1.65 per meal. For lodging, this may not be more than \$2.20 per day. No deductions may be made for meals not consumed.

With respect to amounts charged to employees for the furnishing, use, repair or laundering of any uniforms or special articles of apparel that the employee is required to wear while at work, the regulation prohibits any deduction that reduces the employee's wage below the minimum wage.

Exemptions from the application of the minimum wage are identified in the table on page 2 of this discussion paper.

- What is the appropriate level for the minimum wage?
- Is the existence of a separate student rate appropriate?
- Are the provisions for minimum pay for less than 3 (or 2) hours appropriate?
- Are provisions relating to room and board, and deductions for uniforms, etc., appropriate?

#### **Employment of Persons Under the Age of 18**

(Sections 51 to 54, Employment Standards Regulation)

The regulation defines two categories of employees under the age of 18 — adolescents, those who are 12 years of age but under 15; and young persons, those who are 15 years of age but under 18.

Adolescents may be employed outside of school hours provided the employment is not or is not likely to be injurious to their life, health, education or welfare. They are, however, only allowed to work in specified categories of work unless approval is obtained from the Director of Employment

Standards.

Employment situations permitted for adolescents are:

- delivery person of small wares for a retail store;
- clerk or messenger in an office;
- · clerk in a retail store: and
- delivery person for the distribution of newspapers, flyers or handbills.

On school days employment is limited to 2 hours and on other days it is limited to 8 hours. At no time may an adolescent work between the hours of 9:00 p.m. and 6:00 a.m.

In all situations parental consent is required for the employment of an adolescent.

Young persons are not restricted in the kind of work they are allowed to perform, but are restricted in the type of work they are permitted to do between the hours of 9:00 p.m. and 6:00 a.m.

Between 9:00 p.m. and midnight young persons working in a retail outlet selling any type of commodity, or in a hotel or motel, must be continually in the presence of a person who is at least 18 years old. They are prohibited from working in any such retail establishment between midnight and 6:00 a.m.

For work other than in a retail store, or a motel or hotel, a young person may be employed between midnight and 6:00 a.m. The employee must, however, be in the continuous presence of a person 18 or older and the employer must be provided with parental consent before work is begun.

- Are the current restrictions on the employment of adolescents and young persons appropriate? If not, how should they be altered?
- The legal school leaving age is 16. Is it appropriate to group those 15, 16 and 17 years old into one category subject to employment restrictions? Do those 16 and 17 years old require any employment restrictions?
- The regulation is silent with respect to the employment of persons under the age of 12. Are more specific provisions required?

#### Fees for Services and Recovery of Costs

(Sections 56 to 63, Employment Standards Regulation)

This part of the regulation sets out the authority of the government to set fees for services and goods provided to the public. It also sets out the rules for recovery of costs in a number of areas related to the administration of the *Employment Standards Code*.

- The Minister may set fees for the purpose of cost recovery except as specifically set out in the regulation.
- If the Director engages a person to assist in the administration of the Code, including the conducting of audits of employment records, the costs can be recovered from the employer.
- If a full audit of employer records is conducted by Employment Standards staff, after proper notification, the employer will be assessed a fee of 10% of money found to be owing to employees.
- Where a formal order to pay is issued to an employer, the order will include an additional fee of 10% of the amount owing to the employee, or \$100, whichever is greater.
- Umpires have authority, based on the conduct of the parties to an appeal, to assess either of the parties all, or part of, the costs of the Government in conducting the appeal.
- The Director may enter into an agreement with a collection agency for the collection of money owing on an order that has been filed with the Court of Queen's Bench.

Fees charged by the collection agency are to be paid by the employer so that employees can recover all of the money owed to them wherever possible.

Rules for the distribution of money collected by an agency are set out in the regulation.

- Does the assessment of fees and recovery of Government costs, as set out in the regulation, contribute to improved compliance with employment standards? If not, how can this be improved?
- Are the fee amounts reasonable?



#### **Employment Standards Regulation Review**

**Questionnaire** 

Your opinions are important to us. If there are issues of concern to you that are not addressed in the questions, please identify them and provide your observations. Attach additional pages if necessary. For convenience in responding, questions follow the topic sequence of the discussion paper. You need not reveal your identity.

#### **Exemptions From Core Employment Standards**

(Part 2, Discussion Paper)

a.	Are the categories of	employees subject to ex	emptions, as shown in the table, approp	riate
		Yes □₁	No □₀	
b.	If yes, why?		=	
c.	<b>If no</b> , please explain w	hich category of employee	s should be modified or redefined. Why?	
a.		nptions from the Code's ners, as outlined in the re	basic standards for certain salespersons	5,
	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Yes □₁	No □ <sub>0</sub>	
2b.	If yes, why?			
 	If no, what exemptions (1) added, why?	should be:		
	(2) removed, why?			
3a.	Should a person in a standards identified i		nce program be subject to any of the co	re
		Yes □₁	No □ <sub>o</sub>	

3b. If yes, why?			
3c. If no, why?			
		um Wage	
		cussion Paper)	
4a. Should Alberta ha	ve a minimum wage? Yes □₁	No 🖂	
4b. If no, why?	res 🗀	No □ <sub>o</sub>	
5a. If Alberta should h		ne current minimum wage appro	priate?
5b. If yes, why?	Yes □₁	No □₀	
5c. If no, why?			
5d. What would be an	appropriate minimum wage?		
6a. Currently students minimum wage. S	s under 18 have a minimum hould there be a differentia	n wage that is \$.50 per hour lowe nl?	r than the general
	Yes □₁	No □ <sub>0</sub>	

b. If yes, why?		·	
c. What, if any, changes	s would you suggest?		
d Management			
d. <b>If no</b> , why?			
a. Are the provisions f	for minimum pay of 3 (or Yes □1	2) hours at minimum wage appr $No\Box_{\!\scriptscriptstyle 0}$	opriate?
b. <b>If yes</b> , why?			
c. If no, why			
I. What changes would	vou suggest?		
	, ou degree.		
a. Are the provisions i appropriate?	relating to charges for roo	om and board, and deductions f	or uniforms, et
b. <b>If yes</b> , why?	Yes □₁	No □ <sub>o</sub>	

d. What changes wo	uld you suggest?		
	Restrictions on the Er Under the (Part 4, Discu	Age of 18	
. Are current restri		adolescents and young persons	appropriate?
	Yes □₁	No □₀	
o. <b>If yes</b> , why?			
c. If no, why?			
d. What changes wou	uld you recommend?		
d. What changes wou	uld you recommend?		
d. What changes wou	uld you recommend?		
d. What changes wou	uld you recommend?		
d. What changes would be seen to	al school leaving age is 16. Is	it appropriate to group individua same employment restrictions?	lls 15, 16 and
Da. The current lega	al school leaving age is 16. Is	it appropriate to group individua same employment restrictions? No □₀	ıls 15, 16 and <i>'</i>
Da. The current lega years of age into	al school leaving age is 16. Is no one category subject to the	same employment restrictions?	ıls 15, 16 and <i>'</i>
Da. The current lega	al school leaving age is 16. Is no one category subject to the	same employment restrictions?	lls 15, 16 and <i>1</i>
Da. The current lega years of age into	al school leaving age is 16. Is no one category subject to the	same employment restrictions?	ils 15, 16 and <i>1</i>
Da. The current lega years of age into	al school leaving age is 16. Is no one category subject to the	same employment restrictions?	ds 15, 16 and <i>'</i>

Oc. If no, why?			
0d. In your opinion what cl	nanges would be required	!? 	
1a. The regulation is sile specific provisions re		mployment of children under	the age of 12. Are
1b. <b>If yes</b> , why?	Yes □₁	No □ <sub>o</sub>	
1c. In your opinion what pr	rovisions would be approp	oriate?	
1d. <b>If no</b> , why?			
2a. Should any individua midnight and 6:00 a.ı	l, 18 or over, be restrict n.?	ed in working alone between	the hours of
	Yes □₁	No □ <sub>o</sub>	
2b. If yes, who?			
2c. What conditions should	d apply?		

Employment Standards Regulation Review — Questionnaire // 5

2d. <b>If no</b> , why?		
	Fees for Service	es and Recovery of Costs
		Discussion Paper)
3a. Does the assessm contribute to impro	ent of fees and the recoved compliance with	covery of costs, as set out in the regulation employment standards?
	Yes □₁	No □₀
3b. If yes, how?		
3c. If no, why?		
So. If Ho, why?		
	<del></del>	
3d. What changes woul	d be required to increas	e compliance with employment standards?
4a. Are the fee amoun	ts outlined in the regu	lation reasonable?
	Yes □₁	No □₀
4b. If yes, why?		
46		
4c. If no, why?		
•		

	General C	omments
5. Do you have any add	itional comments about	the Employment Standards Regulation?
o assist us in tabulating	responses we request t	hat you provide the following information.
Please indicate the industry are primarily associated (inc		<ul> <li>□<sub>7</sub> Wholesale and retail trade</li> <li>□<sub>8</sub> Government services (including public head)</li> </ul>
only).		care and public schools)
☐₁ Agriculture and forestry		Other services
<ul><li>□₂ Oil and gas</li><li>□₃ Other mining</li></ul>		□ <sub>9</sub> Non-profit health services provider/agency □ <sub>10</sub> For-profit health services provider/agency
□₄ Manufacturing		□ <sub>10</sub> 1 of-profit fleath services provider agency □ <sub>11</sub> Accommodation and food services
□ <sub>5</sub> Construction		□ <sub>12</sub> Other business, personal and professional
☐ <sub>6</sub> Transportation, commu	inication and utilities	services

perspective when you completed this questionnaire (indicate one category only)?  Employer Representing employers Representing employees	2a.	Which of the following best describes your		Professionals
Questionnaire (indicate one category only)?  □ Employer □ Representing employers □ Employee □ Representing employees and represent to repressional engineer, geologist or geophysicist (including student) □ Reporting the Depressional engineer, geologist or geophysicist (including student) □ Reporting the Depressional engineer, geologist or geophysicist (including student) □ Reporting the Depressional engineer, geologist or geophysicist (including student) □ Reporting the Depressional engineer, geologist or geophysicist (including student) □ Reporting the Depressional engineer, geologist or geophysicist (including student) □ Reporting the Depressional engineer, geologist or geophysicist (including student) □ Reporting the Depressional engineer, geologist or geophysicist (including student) □ Reporting the Depressional engineer, geologist or geophysicist (including student) □ Reporting the Depressional engineer, geologist or geophysicist (including student) □ Reporting the Depressional engineer, geologist or geophysicist (including student) □ Reporting the Depressional engineer, geologist or geophysicist (i				□ <sub>11</sub> Architect (including student)
Employer   Studenty		questionnaire (indicate one category only)?		
□s Employee □s Representing employees □s Other □s Personal information is being collected under the authority of the Government Organization Act solely for the purpose of Regulatory Review.    Capacital Personal information is being collected under the authority of the Government Organization Act solely for the purpose of Regulatory Review.    Capacital Personal information is being collected under the authority of the Government Organization Act solely for the purpose of Regulatory Review.    Capacital Into Personal information is being collected under the authority of the Government Organization Act solely for the purpose of Regulatory Review.    Capacital Capacity   Ca		□₁ Employer		
□, Employee □, Representing employees □, Chrer (Please specify) • (Please indicate which of the following occupational, professional or other groups you are directly involved with in the capacity indicated in #2 above (indicate all categories that apply).  Salesperson □, Travelling □, Automotive and recreational vehicles □, Mobile home □, Realtors □, Representing employees. □, Representing employees. □, Representing employees. □, Full time □, Part time □, Contract/seasonal 3. Please indicate which of the following occupational, professional engineer, geologist or geophysicist (including student) □, Politoriatis □, Politori		☐ <sub>2</sub> Representing employers		□ <sub>13</sub> Certified management accountant
□ Representing employees □ Other (Please specify) □ Others (Please specify) □ Other (Please spe		□ <sub>3</sub> Employee		
Cher   Chease specify		□₄ Representing employees		· · · · · · · · · · · · · · · · · · ·
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2b. If you are responding as an employee, are you employed:				···
2b. If you are responding as an employee, are you employed:  □ Full time □ Part time □ Contract/seasonal  3. Please indicate which of the following occupational, professional or other groups you are directly involved with in the capacity indicated in #2 above (indicate all categories that apply).  Salesperson □ Travelling □ Automotive and recreational vehicles □ Mobile home □ Farm machinery □ Construction equipment □ New homes sold by the builder □ Realtors □ Insurance □ Insurance □ Salesperson for direct sellers  Optional  Please provide your name and address if you would be interested in attending a group discussion about this review if one were held.  Name  Street Address  Town/City Province Postal Code  Phone Fax  □ Lawyer (including student) □ Spontance □ Spontaction exployed □ Spontaction that sudent) □ Spontaction exployed □ Spontaction employed □ Spontaction employed □ Spontaction employee □ Spont		•		
employed:	2b.	If you are responding as an employee, are you		
□ <sub>6</sub> Full time □ <sub>7</sub> Part time □ <sub>8</sub> Contract/seasonal  3. Please indicate which of the following occupational, professional or other groups you are directly involved with in the capacity indicated in #2 above (indicate all categories that apply).  Salesperson □ <sub>1</sub> Travelling □ <sub>2</sub> Automotive and recreational vehicles □ <sub>3</sub> Mobile home □ <sub>4</sub> Farm machinery □ <sub>5</sub> Construction equipment □ <sub>6</sub> New homes sold by the builder □ <sub>7</sub> Realtors □ <sub>8</sub> Securities □ <sub>9</sub> Insurance □ <sub>10</sub> Salesperson for direct sellers  Optional  Please provide your name and address if you would be interested in attending a group discussion about this review if one were held.  Name  Street Address  Town/City Province Postal Code  Phone Fax  Personal information is being collected under the authority of the Government Organization Act solely for the purpose of Regulatory Review.  Please complete and detach the questionnaire and mail it by March 31, 1998 to:				
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occupational, professional or other groups you are directly involved with in the capacity indicated in #2 above (indicate all categories that apply).  Salesperson    Travelling   Automotive and recreational vehicles   Mobile home   Farm machinery   Sconstruction equipment   Realtors   Realtors   Insurance   Insurance	2	Please indicate which of the following		□ <sub>21</sub> Psychologist
directly involved with in the capacity indicated in #2 above (indicate all categories that apply).  Salesperson	٥.		are	□ <sub>22</sub> Veterinarian
above (indicate all categories that apply).  Salesperson    Travelling   Automotive and recreational vehicles   James   James				□ <sub>23</sub> Licensed land agent
Salesperson    Travelling			11 #2	
Travelling		above (indicate an categories triat apply).		
Automotive and recreational vehicles   Description   Des		Salesperson		
Mobile home		□₁ Travelling		
Mobile home		□ Automotive and recreational vehicles		□ <sub>25</sub> Extra in film or video
Farm machinery  Sconstruction equipment  New homes sold by the builder  Realtors  Securities  Salesperson for direct sellers  Optional  Please provide your name and address if you would be interested in attending a group discussion about this review if one were held.  Name  Street Address  Town/City  Province  Postal Code  Phone  Fax  Personal information is being collected under the authority of the Government Organization Act solely for the purpose of Regulatory Review.  Please complete and detach the questionnaire and mail it by March 31, 1998 to:				□ <sub>26</sub> Person in an approved work experience
□s Construction equipment □s New homes sold by the builder □r Realtors □s Securities □r Insurance □r Salesperson for direct sellers □r Insurance □r		•		program
Construction employee  □ Realtors □ Securities □ Insurance □ Salesperson for direct sellers □ Sale				□ <sub>27</sub> Domestic worker
□₂₂ Other ☐₂₂ O		•		<del>_</del>
Complete		,		
□₀ Salesperson for direct sellers □₀ Insurance □₀ Salesperson for direct sellers □₀ Salesperson for direct sellers □₀ Salesperson for direct sellers □₀ sent unsolicited to you or your organization to Alberta Labour, or □৹ requested by you or your organization?  Optional  Please provide your name and address if you would be interested in attending a group discussion about this review if one were held.  Name  Street Address  Town/City Province Postal Code  Phone Fax  Personal information is being collected under the authority of the Government Organization Act solely for the purpose of Regulatory Review.  Please complete and detach the questionnaire and mail it by March 31, 1998 to:		□ <sub>7</sub> Realtors		
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□ Salesperson for direct sellers □ sent unsolicited to you or your organization to Alberta Labour, or requested by you or your organization?  Optional  Please provide your name and address if you would be interested in attending a group discussion about this review if one were held.  Name  Street Address  Town/City Province Postal Code  Phone Fax  Personal information is being collected under the authority of the Government Organization Act solely for the purpose of Regulatory Review.  Please complete and detach the questionnaire and mail it by March 31, 1998 to:		□ <sub>9</sub> Insurance	4	This discussion paper and questionnaire were:
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Please complete and detach the questionnaire and mail it by March 31, 1998 to:	Phor	ne	Fax	
			uthority of the	e Government Organization Act solely for the
Alberta Labour, Information Services (Surveys) or Fax: (403) 422-5070	Plea	ase complete and detach the questionnaire a	nd mail it by	/ March 31, 1998 to:
		Alberta Labour Information Services (Surveys)	or	Fav: (403) 422-5070
c/o 10557 - 108 Street N.W.		· · · · · · · · · · · · · · · · · · ·	O.	1 ax. (400) 422-3070
Edmonton, AB T5H 9Z9				
Editionion, AD 13F1 3E3		Lamonton, AD TON 323		
<ul> <li>If you have any questions or wish to obtain any of the supplementary discussion papers, please contact Alberta Labour, Employment Standards, 422-3311 (toll-free within Alberta by dialling 310-0000 and entering the 7 digit number).</li> </ul>	L r	Labour, Employment Standards, 422-3311 (toll-f number).	free within Al	berta by dialling 310-0000 and entering the 7 digit
<ul> <li>Questions and requests can also be addressed by e-mail to esreview@lab.gov.ab.ca.</li> <li>To obtain any documents directly by Internet visit our home page at http://www.gov.ab.ca/~lab.</li> </ul>	. (	Questions and requests can also be addressed I	by e-mail to	esreview@lab.gov.ab.ca.

Thank you for your participation.



## **Trucking Industry**

# Supplementary Discussion Paper and Questionnaire

If you have any questions please contact Alberta Labour, Employment Standards at 422-3311 (outside Edmonton, dial 310-0000 and ask for 422-3311 to be connected toll-free).



## **Trucking Industry**

(Sections 39-43 of the Employment Standards Regulation)

Discussion

#### Introduction

Alberta Labour has initiated a comprehensive review of the *Employment Standards Regulation*. The objective is to eliminate provisions where possible, and amend where necessary to reflect changing realities in the workplace. Where existing provisions are no longer relevant or can no longer be justified, **they will be removed from the regulation**.

A general discussion paper with questionnaire, available from Employment Standards, addresses most of the major elements of the regulation. This discussion paper provides background information and a questionnaire for the part of the regulation that specifically relates to the trucking industry.

### **Background**

Employees employed in the trucking industry begin to accumulate overtime hours after working 10 hours in a day and after 50 hours in a week. Overtime hours for the week must be calculated both on a daily and a weekly basis, and the greater of the two must be paid. This compares to the *Employment Standards Code* requirement for overtime pay after 8 hours per day or 44 hours per week, whichever generates the greater number of hours. These provisions have been in effect since 1973.

The regulation applies to employers and their employees working **outside a city** as:

- a truck driver operating a truck with a manufacturer's rated carrying capacity of 910 kilograms net weight or over, registered as a public service vehicle or commercial vehicle;
- a truck driver's helper or swamper working in this type of vehicle; or
- a bus driver operating a bus licensed as a public vehicle.

The regulation does not apply to drivers, helpers or swampers working **entirely** within a city.

In calculating hours of work, a trucking industry employee is considered to be working from the time of first reporting to work until relieved from work and all responsibility for work.

A trucking industry employee must have at least 8 hours rest after a shift before beginning work again.

The regulation does not apply to employers and employees who are involved in interprovincial transportation as this activity falls under federal jurisdiction. There may be some overlap with the *Drivers' Hours of Service Regulation* that applies to heavy trucks and drivers of larger busses. Where this occurs, and a conflict is found between the two, the *Employment Standards Code* provisions prevail.

- Does the trucking industry require relief from the *Employment Standards Code's* hours of work and overtime provisions?
- If relief is still required, is the description of trucking industry employees in the regulation adequate to describe those to whom it applies?



## **Trucking Industry**

Questionnaire

Your opinions are important to us. If there are issues of concern to you that are not addressed in the questions, please identify them and provide your observations. Attach additional pages if necessary. You need not reveal your identity.

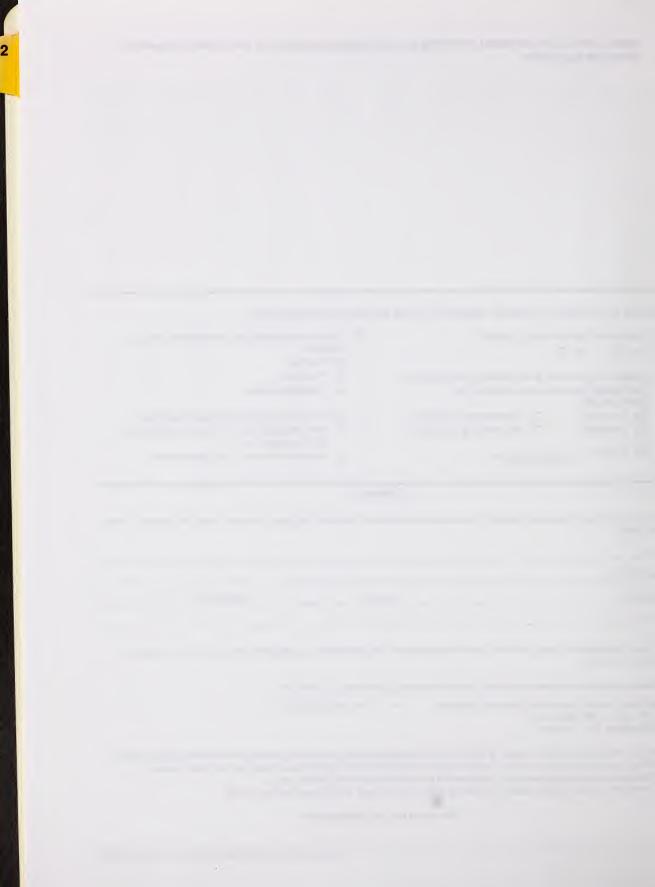
in this industry?	Yes □₁	No □₀	
o. If yes, why?		<u> </u>	
o. II yes, willy :			
c. What is an appropr	riate variance?		
l. If no, why?			
		·	1
a. If this variance is	still required, is the weight raribe those to whom it applies?	ing of trucks and description of affected er	nployees
a. If this variance is	still required, is the weight ra	ing of trucks and description of affected er	nployees
a. If this variance is adequate to desci	still required, is the weight raribe those to whom it applies?	ing of trucks and description of affected er	nployees
a. If this variance is adequate to describe.  b. If yes, why?	still required, is the weight raribe those to whom it applies?	ing of trucks and description of affected er	nployees
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a. If this variance is adequate to desci	still required, is the weight rai ribe those to whom it applies? Yes □₁	ing of trucks and description of affected er	nployees



Standards Regu	lation.		
Answers to the follow	ing questions will assist us in the	e analysis	s of the questionnaire.
1. Do you work in the	trucking industry?	2b.	If you are responding as an employee, are you
Yes □₁ No □	•		employed:
	J.		□ <sub>6</sub> Full time
	ch of the following best describes		□ <sub>7</sub> Part time
	hen you completed this		□ <sub>8</sub> Contract/seasonal
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□ <sub>3</sub> Employee	□₄ Representing employees	0.	$\square_1$ sent unsolicited to you or your organization by
	_4p		Alberta Labour, or
□ <sub>5</sub> Other	ease specify)		□₂ requested by you or your organization?
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Please provide your nar were held.	ne and address if you would be inte	erested in	attending a group discussion about this review, if one
Name Street Address			
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Personal information is i Regulatory Review.	being collected under the authority	of the Gov	remment Organization Act solely for the purpose of
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		•	:: (403) 422-5070
c/o 10557 - 108 Stre Edmonton, AB T5H	et N.W.	и гах	(403) 422-3070
If you have any gues	etions or wish to obtain any of the a	unnlemen	tary discussion papers, please contact Alberta Labou
			tary discussion papers, please contact Alberta Labou ing 310-0000 and entering the 7 digit number).
	ests can also be addressed by e-ma		
	nents directly by Internet visit our ho		
	WI I		
	Thank you fo	or vour pa	rrucidation.

3. Please provide any additional comments you may have concerning this part of the Employment

Employment Standards Regulation Review - Trucking Industry // 3





## **Nursery Industry**

# Supplementary Discussion Paper and Questionnaire

If you have any questions please contact Alberta Labour, Employment Standards at 422-3311 (outside Edmonton, dial 310-0000 and ask for 422-3311 to be connected toll-free).



## **Nursery Industry**

(Sections 29-31 of the Employment Standards Regulation)

Discussion

### Introduction

Alberta Labour has initiated a comprehensive review of the *Employment Standards Regulation*. The objective is to eliminate provisions where possible, and amend where necessary to reflect changing realities in the workplace. Where existing provisions are no longer relevant or can no longer be justified, **they will be removed from the regulation**.

A general discussion paper with questionnaire, available from Employment Standards, addresses most of the major elements of the regulation. This discussion paper provides background information and a questionnaire for the part of the regulation that specifically relates to the nursery industry.

### Background

Employees in the nursery industry begin to accumulate overtime hours after working 9 hours in a day and after 48 hours in a week. Overtime hours for the week must be calculated both on a daily and a weekly basis, and the greater of the two must be paid. This compares to the *Employment Standards Code* requirement for overtime pay after 8 hours per day or 44 hours per week, whichever generates the greater number of hours. The current provisions have been in effect since 1973.

The nursery provisions of the regulation apply to employers and their employees who are employed in the propagation and the preparation for sale of trees, shrubs and plants. The regulation does not apply to employers whose operation is conducted principally in a greenhouse.

Where an employer operates a combined nursery/greenhouse business, the regulation only applies to those employees who are *principally* employed in the nursery part of the operation.

- Does the nursery industry require relief from the *Employment Standards Code's* hours of work and overtime provisions? Should the variance be modified?
- If relief is still required, is the description of the nursery industry in the regulation adequate to describe those to whom it applies?

## **Nursery Industry**

Questionnaire

Your opinions are important to us. If there are issues of concern to you that are not addressed in the questions, please identify them and provide your observations. Attach additional pages if necessary. You need not reveal your identity.

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Yes □₁	No □₀	
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	ite variance?	itll required, is the description of the nursery industry in the regul

Employment Standards Regulation Review - Nursery Industry // 2



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Answers to the following questions will assist us in t	ne anaiysi	s of the questionnaire.
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Yes □ <sub>1</sub> No □ <sub>0</sub>		employed: □ <sub>6</sub> Full time
On Disease indicate which of the following boot departies		□ <sub>7</sub> Part time
<ol> <li>Please indicate which of the following best describes your perspective when you completed this</li> </ol>	5	□ <sub>8</sub> Contract/seasonal
questionnaire:		<u> </u>
$\Box_1$ Employer $\Box_2$ Representing employers	3.	This discussion paper and questionnaire were:
□ <sub>3</sub> Employee □ <sub>4</sub> Representing employees		□₁ sent unsolicited to you or your organization by
□₅ Other		Alberta Labour, or
(Please specify)		□₂ requested by you or your organization?
	Optional	
Please provide your name and address if you would be in	nterested in	attending a group discussion about this review if one
were held.		attending a group closes on about the review, it one
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Personal information is being collected under the authorit	tv of the Go	vernment Organization Act solely for the purpose of
Regulatory Review.	,	
Please complete and detach the questionnaire and m	ail it by Ma	rch 31, 1998 to:
Alberta Labour, Information Services (Surveys)	or Fax	c: (403) 422-5070
c/o 10557 - 108 Street N.W. Edmonton, AB T5H 9Z9		
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If you have any questions or wish to obtain any of the	supplemen	tary discussion papers, please contact Alberta Labour,
Employment Standards, 422-3311 (toll-free within Alb		
<ul> <li>Questions and requests can also be addressed by e-</li> <li>To obtain any documents directly by Internet visit our</li> </ul>		
- 10 obtain any documents directly by internet visit our	Home page	at http://www.gov.ab.oa/ lab.

Thank you for your participation.

3. Please provide any additional comments you may have concerning this part of the Employment

Standards Regulation.





## **Irrigation Districts**

# Supplementary Discussion Paper and Questionnaire

If you have any questions please contact Alberta Labour, Employment Standards at 422-3311 (outside Edmonton, dial 310-0000 and ask for 422-3311 to be connected toll-free).



## **Irrigation Districts**

(Sections 26-28 of the Employment Standards Regulation)

Discussion

### Introduction

Alberta Labour has initiated a comprehensive review of the *Employment Standards Regulation*. Where possible, provisions will be eliminated and, where necessary, they will be amended to reflect changing realities in the workplace. Where special provisions are found to be no longer relevant or can no longer be justified, they will be removed from the regulation.

A general discussion paper with questionnaire, available from Employment Standards, addresses most of the major elements of the regulation. This discussion paper provides background information and a questionnaire for the part of the regulation that specifically relates to irrigation districts.

### Background

Full-time employees, who are paid on a monthly basis, employed by irrigation districts begin to accumulate overtime hours after working 9 hours in a day and after 54 hours in a week. Overtime hours for the week must be calculated both on a daily and a weekly basis, and the greater of the two must be paid. This compares to the *Employment Standards Code* requirement for overtime pay after 8 hours per day or 44 hours per week, whichever generates the greater number of hours. These provisions have been in effect since 1973.

The variance applies only during April 1 to October 31 each year. It does not apply to office employees.

- Do irrigation districts require relief from the *Employment Standards Code*'s hours of work and overtime provisions?
- If relief is still required, is the regulation's description of irrigation district employees adequate to describe those to whom the variance should apply?

## **Irrigation Districts**

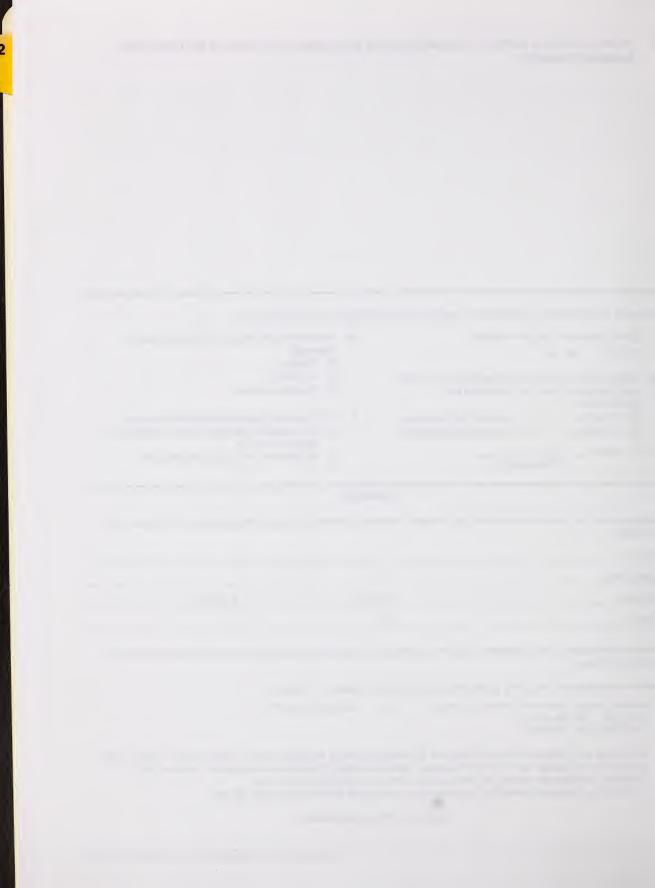
Questionnaire

Your opinions are important to us. If there are issues of concern to you that are not addressed in the questions, please identify them and provide your observations. Attach additional pages if necessary. You need not reveal your identity.

a. Is a variance in the Enfor irrigation districts?		o o o o o o o o o o o o o o o o o o o	visions necessar
	Yes □₁	No □₀	
b. <b>If yes</b> , why?			
c. What is an appropriate v	variance?		
d. If no, why?			
a. If this variance is still r	required, is the description	n of irrigation districts in the regula	ition adequate to
a. If this variance is still r describe those to who	m it applies?		ition adequate to
a. If this variance is still r describe those to who	m it applies?		ition adequate to
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3.	Please provide any additional comments yo Standards Regulation.	ou may hav	e concerning this part of the Employment
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An	swers to the following questions will assist us in	the analysis	s or the questionnaire.
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	Yes □ <sub>1</sub> No □ <sub>0</sub>		employed: □ <sub>6</sub> Full time
20	Please indicate which of the following best describe		D <sub>7</sub> Part time
2a.	your perspective when you completed this	:5	□ <sub>8</sub> Contract/seasonal
	questionnaire:		
	$\square_1$ Employer $\square_2$ Representing employers		This discussion paper and questionnaire were:
	□ <sub>3</sub> Employee □ <sub>4</sub> Representing employees	3	□ <sub>1</sub> sent unsolicited to you or your organization by Alberta Labour, or
	□ <sub>5</sub> Other		□₂ requested by you or your organization?
	(Please specify)		
_		Optiona	
		Ориона	
	ase provide your name and address if you would be ire held.	interested in	attending a group discussion about this review, if one
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	rsonal information is being collected under the author gulatory Review.	rity of the Go	vernment Organization Act solely for the purpose of
Dia	and complete and detach the avection and and	nail it bu Ma	h 24 4008 to
	ease complete and detach the questionnaire and n	•	
	Alberta Labour, Information Services (Surveys) c/o 10557 - 108 Street N.W. Edmonton, AB T5H 9Z9	or Fax	c: (403) 422-5070
	Employment Standards, 422-3311 (toll-free within All	berta by diall	
	Questions and requests can also be addressed by e- To obtain any documents directly by Internet visit our		
	Thank you	u for your pa	articipation.





## **Taxi Cab Industry**

# Supplementary Discussion Paper and Questionnaire

If you have any questions please contact Alberta Labour, Employment Standards at 422-3311 (outside Edmonton, dial 310-0000 and ask for 422-3311 to be connected toll-free).



## **Taxi Cab Industry**

(Sections 36-38 of the Employment Standards Regulation)

Discussion

### Introduction

Alberta Labour has initiated a comprehensive review of the *Employment Standards Regulation*. The objective is to eliminate provisions where possible, and amend where necessary to reflect changing realities in the workplace. Where existing provisions are no longer relevant or can no longer be justified, **they will be removed from the regulation**.

A general discussion paper with questionnaire, available from Employment Standards, addresses most of the major elements of the regulation. This discussion paper provides background information and a questionnaire for the part of the regulation that specifically relates to the taxi cab industry.

### Background

Employees employed by taxi companies begin to accumulate overtime hours after working 10 hours in a day and after 60 hours in a week. Overtime hours for the week must be calculated both on a daily and a weekly basis, and the greater of the two must be paid. This compares to the *Employment Standards Code* requirement for overtime pay after 8 hours per day or 44 hours per week, whichever generates the greater number of hours. The current provisions have been in effect since 1973.

The regulation applies only to employees who drive a taxi, and not to other employees employed by a taxi company, such as, office workers and vehicle maintenance personnel.

- Does the taxi cab industry require relief from the *Employment Standards Code's* hours of work and overtime provisions? Should the variance be modified?
- If relief is still required, is the term "taxi cab industry" adequate to describe those to whom the variance should apply?



## **Taxi Cab Industry**

Questionnaire

Your opinions are important to us. If there are issues of concern to you that are not addressed in the questions, please identify them and provide your observations. Attach additional pages if necessary. You need not reveal your identity.

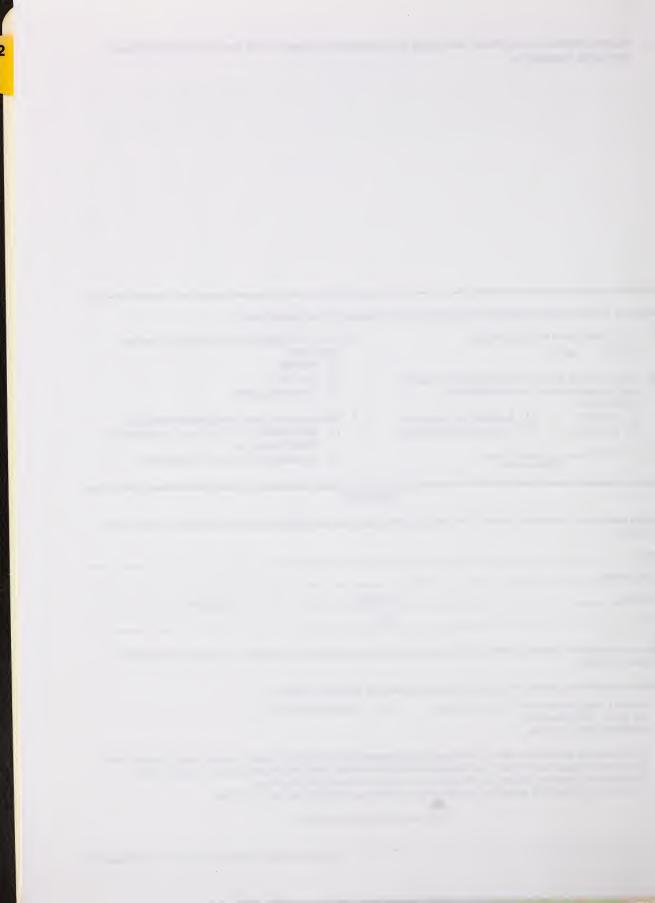
Yes □₁ No □₀  1b. <b>If yes</b> , why?	
1b. If yes, why?	
1c. What is an appropriate variance?	
1d. If no, why?	
<ul> <li>2a. If this variance is still required, is the term "taxi cab industry" adequate to describe those to applies?</li> <li>Yes □₁</li> <li>No □₀</li> </ul>	whom it
2b. If yes, why?	
2c. If no, why?	
2d. What would be appropriate?	
•	



	Sta	andards Reg	gulation					
An	swer	rs to the follo	wing qu	estions will assist us in t	the ana	lysis	of	the questionnaire.
1.		you work in th		b industry?		2b.	_	rou are responding as an employee, are you aployed:
	Yes	s □ <sub>1</sub> No l	□₀					Full time
0-	DI-			- fallanda hast dagarilar			_	Part time
za.				ne following best describe:	S		,	Contract/seasonal
	your perspective when you completed this questionnaire:						<b>—</b> 8	Conti acoscasonal
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	$\square_5$	Other					□,	requested by you or your organization?
		(	Please sp	ecity)			Ī	
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	ase p		ame and	address if you would be i	•			nding a group discussion about this review, if one
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	c/o 1	rta Labour, Inf 10557 - 108 St onton, AB TS	reet N.W	Services (Surveys) '.	or	Fax	: (40	33) 422-5070
	Empl	loyment Stand stions and req	dards, 42 uests cai		erta by mail to e	dialli esrev	ng 3 iew(	

Thank you for your participation.

3. Please provide any additional comments you may have concerning this part of the Employment





# **Oilwell Servicing**

# Supplementary Discussion Paper and Questionnaire

If you have any questions please contact Alberta Labour, Employment Standards at 422-3311 (outside Edmonton, dial 310-0000 and ask for 422-3311 to be connected toll-free).





# **Oilwell Servicing**

(Sections 32-35 of the Employment Standards Regulation)

Discussion

### Introduction

Alberta Labour has initiated a comprehensive review of the *Employment Standards Regulation*. The objective is to eliminate provisions where possible, and amend where necessary to reflect changing realities in the workplace. Where existing provisions are no longer relevant or can no longer be justified, they will be removed from the regulation.

A general discussion paper with questionnaire, available from Employment Standards, addresses most of the major elements of the regulation. This discussion paper provides background information and a questionnaire for the part of the regulation that specifically relates to oilwell servicing.

## Background

Employees employed in oilwell servicing begin to accumulate overtime hours after working 12 hours in a day and after 191 hours in a month. Overtime hours for the month must be calculated both on a daily and a monthly basis, and the greater of the two must be paid. This compares to the *Employment Standards Code* requirement for overtime pay after 8 hours per day or 44 hours per week, whichever generates the greater number of hours. These provisions have been in effect since 1977.

While some oilwell servicing employers observe the current hours of work and overtime provisions in the regulation, a significant number of employers and employees in this industry operate under "scheme of employment" permits. These permits, issued by Employment Standards, alter the hours of work and overtime provisions of the regulation to recognize the unique working conditions of the industry.

### **Current Situation**

Approximately 45 companies and their employees, representing a large proportion of those employed in the industry, are currently covered by scheme of employment permits.

The permits replace the regulation's overtime provisions with a compensation package involving a base salary, plus either a job or per diem bonus. Permits also allow more than 12 hours of work per day and frequently include an exemption from recording daily hours of work.

Since 1993, Employment Standards has held ongoing discussions with the Petroleum Services Association of Canada (PSAC) to develop a set of rules to apply uniformly to the industry and reduce the need for government involvement, while meeting the needs of all parties. A number of issues remain to be addressed.

- Does oilwell servicing require relief from the Employment Standards Code's hours of work and overtime provisions?
- If relief is still required, is the description of oilwell servicing employees in the regulation adequate to describe those to whom it applies?
- Oilwell servicing work consists of combination of task and non-task related hours. What is work time and what is rest time?
- A significant number of oilwell servicing employers and employees operate under "scheme of employment" permits which provide relief from several Employment Standards Code requirements beyond that provided in the regulation. Are permits an appropriate way of addressing these industry issues?
- Permits issued for oilwell servicing include a
  provision that employees be provided with at least
  8 hours of rest per day. Should this rest period be 8
  consecutive hours or can it be a combination of
  shorter rest periods?
- If it is necessary, should extension of hours to 16 per day be included in the regulation or retained only in permits?
- If relief from recording hours of work is necessary, what is required to ensure that the Code's minimum wage requirements are met?
- Should relief from recording hours of work, if necessary, be included in the regulation or only be allowed through a permit?



# **Oilwell Servicing**

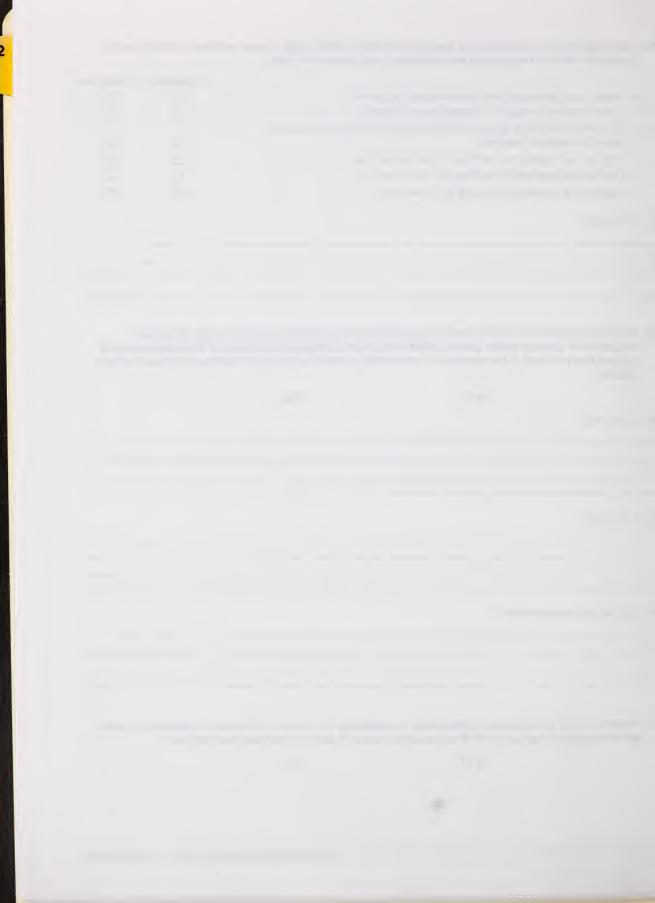
Questionnaire

Your opinions are important to us. If there are issues of concern to you that are not addressed in the questions, please identify them and provide your observations. Attach additional pages if necessary. You need not reveal your identity.

1а.	Is a variance in the <i>E</i> in this industry?		de's overtime and hours of work provisions necessary
lb.	If yes, why?	Yes □₁	No □ <sub>0</sub>
c.	What is an appropriate	variance?	
	If no, why?		
u. 			
a.	If this variance is still those to whom it app	required, is the description lies or should apply?  Yes □₁	on of the affected employees adequate to describe
o.	If yes, why?		
	If no, why?		
	What would be approp	riate?	



Travel, as a passen			Work time	Rest tim
• Havel, as a passen	oger from home base to the	job site		
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Bb. Comments:				
employment" permits	s which provide relief from	oyers and employees operate n several <i>Employment Standa</i> rmits an appropriate way of ac	rds Code requir	ements
	Yes □₁	No □₀		
b. If yes, why?				
c. If no, why?				
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ia. Permits issued by En		mployers in oilwell servicing a hours of work. Is this relief ap		of hours
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ic. If no, why?			
d. What would be appropri	ate?		
	W. W		
a. If relief from recording wage requirements are	hours of work is necess	ary, is it possible to ensure that the Code	's minimu
	Yes □₁	No □₀	
b. If yes, why?			
	ne necessary?		
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c. What conditions would b	pe necessary?		
c. What conditions would b	pe necessary?		
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c. What conditions would b	s policy requires that em	ployees be provided with 8 consecutive h	ours of res



7с.	if no, why?	·	
	Should the relief hours of work) b individual permi	ne included in the regulation ts?	of employment permits (such as relief from recording n for general application rather than be provided only l
		Yes □₁	No □ <sub>o</sub>
b.	If yes, why?		
c.	If no, why?		
c.	If no, why?		
Bc.	If no, why?		
		ny other comments you ma	ay have concerning this part of the <i>Employment Stand</i>
	Please provide a	ny other comments you ma	ay have concerning this part of the <i>Employment Stand</i>
	Please provide a Regulation.		ay have concerning this part of the <i>Employment Stand</i>
•	Please provide a Regulation.		



Δn	swers to the following questions will assist us in th	ne analysis	of the questionnaire
1.	Do you work in the oilwell servicing industry?		If you are responding as an employee, are you
١.	Yes $\square_1$ No $\square_0$	20.	employed:
_			□ <sub>6</sub> Full time □ <sub>7</sub> Part time
2a.	Please indicate which of the following best describes your perspective when you completed this		□ <sub>8</sub> Contract/seasonal
	questionnaire:		
	$\square_1$ Employer $\square_2$ Representing employers $\square_3$ Employee $\square_4$ Representing employees	3.	This discussion paper and questionnaire were:  \$\Bigsig_1\$ sent unsolicited to you or your organization by
	□ <sub>5</sub> Other		Alberta Labour, or
	(Please specify)		□₂ requested by you or your organization?
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	ase provide your name and address if you would be int re held.	terested in	attending a group discussion about this review, if one
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	rsonal information is being collected under the authority gulatory Review.	of the Gov	vernment Organization Act solely for the purpose of
Pie	ase complete and detach the questionnaire and ma	ail it by Ma	rch 31, 1998 to:
	Alberta Labour, Information Services (Surveys) c/o 10557 - 108 Street N.W. Edmonton, AB T5H 9Z9	or Fax	:: (403) 422-5070
	If you have any questions or wish to obtain any of the s Employment Standards, 422-3311 (toll-free within Albe Questions and requests can also be addressed by e-m To obtain any documents directly by Internet visit our h	erta by diall	ing 310-0000 and entering the 7 digit number). //iew@lab.gov.ab.ca.

Thank you for your participation.

9. (continued)





# Highway and Railway Construction and Brush Clearing

# Supplementary Discussion Paper and Questionnaire

If you have any questions please contact Alberta Labour, Employment Standards at 422-3311 (outside Edmonton, dial 310-0000 and ask for 422-3311 to be connected toll-free).





# Highway and Railway Construction and Brush Clearing

(Sections 22-25 of the Employment Standards Regulation)

Discussion

## Introduction

Alberta Labour has initiated a comprehensive review of the *Employment Standards Regulation*. The objective is to eliminate provisions where possible, and amend where necessary to reflect changing realities in the workplace. Where existing provisions are no longer relevant or can no longer be justified, **they will be removed from the regulation**.

A general discussion paper with questionnaire, available from Employment Standards, addresses most of the major elements of the regulation. This discussion paper provides background information and a questionnaire for the part of the regulation that specifically relates to highway and railway construction and brush clearing.

## Background

Employees in highway and railway construction and brush clearing begin to accumulate overtime hours after working 10 hours in a day and after 44 hours in a week. Overtime hours for the week must be calculated both on a daily and a weekly basis, and the greater of the two must be paid. This compares to the *Employment Standards Code* requirement for overtime pay after 8 hours per day or 44 hours per week, whichever generates the greater number of hours. The current provisions have been in effect since 1975.

These provisions of the regulation apply to employers and their employees employed in

- brush clearing
- · railway construction
- · highway construction

but only if the work is being done outside of a city, town, or village, or inside these boundaries if it is a continuation of railway or road construction begun by the same employer outside the boundaries.

- Does highway and railway construction and brush clearing require relief from the *Employment Standards Code's* hours of work and overtime provisions? Should the variance be modified?
- If relief is still required, is the description of the highway and railway construction and brush clearing in the regulation adequate to describe those to whom it applies?



# Highway and Railway Construction and Brush Clearing

Questionnaire

Your opinions are important to us. If there are issues of concern to you that are not addressed in the questions, please identify them and provide your observations. Attach additional pages if necessary. You need not reveal your identity.

	Yes □₁	No □ <sub>o</sub>	
b. <b>If yes</b> , why?			
c. What is an appropriate va	ariance?		
d. <b>If no</b> , why?			
a. If this variance is still re	equired, is the description	n of highway and railway construction	on and brush
a. If this variance is still re learing in the regulation a	dequate to describe thos	e to whom it applies?	on and brush
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learing in the regulation and be lif yes, why?	dequate to describe thos	e to whom it applies?	on and brush
b. If yes, why?	dequate to describe thos	e to whom it applies?	on and brush
b. If yes, why?  c. If no, why?	dequate to describe thos	e to whom it applies?	on and brush
ta. If this variance is still reclearing in the regulation and the reg	dequate to describe thos	e to whom it applies?	on and brush



Answers to the following questions will assist us in the analysis of the questionnaire.  1. Do you work in highway or railway construction, or brush clearing? Yes □, No □₀ □, Part time □,	3.	. Please provide any additional comments y Standards Regulation.	ou may hav	e concerning this part of the <i>Employment</i>
1. Do you work in highway or railway construction, or brush clearing? Yes □₁ No □₀ □₀ □₀ □₀ □₀ □₀ □₀ □₀ □₀ □₀ □₀ □₀ □₀				
1. Do you work in highway or railway construction, or brush clearing? Yes □₁ No □₀ □₀ □₀ □₀ □₀ □₀ □₀ □₀ □₀ □₀ □₀ □₀ □₀				
brush clearing? Yes □₁ No □₀ employed: □₅ Full time □₅ Full time □₅ Part time □ց₀ Contract/seasonal questionnaire: □₁ Employer □₂ Representing employers □₃ Employee □₄ Representing employees □₃ Sother □₂ requested by you or your organization by Alberta Labour, or □₂ requested by you or your organization?  Coptional  Please provide your name and address if you would be interested in attending a group discussion about this review, if one were held.  Name  Street Address  Town/City Province Postal Code  Phone Fax  Personal information is being collected under the authority of the Government Organization Act solely for the purpose of Regulatory Review.  Please complete and detach the questionnaire and mail it by March 31, 1998 to:  Alberta Labour, Information Services (Surveys) or Fax: (403) 422-5070 c/o 10557 - 108 Street N.W. Edmonton, AB T5H 9Z9  If you have any questions or wish to obtain any of the supplementary discussion papers, please contact Alberta Labour Employment Standards, 422-3311 (toll-free within Alberta by dialling 310-0000 and entering the 7 digit number).  Questions and requests can also be addressed by e-mail to esreview@lab.gov.ab.ca.  To obtain any documents directly by Internet visit our home page at http://www.gov.ab.ca/-lab.	An	nswers to the following questions will assist us in	the analysis	s of the questionnaire.
2a. Please indicate which of the following best describes your perspective when you completed this questionnaire:  □ Employer □ Representing employers □ Sepresenting employers □ Sepresenting employees □ Sepresenting empl	1.		2b	employed:
□3 Employee □4 Representing employees □5 Sthere □5 Other □6 (Please specify) □7 requested by you or your organization by Alberta Labour, or □7 requested by you or your organization?    Optional	2a	your perspective when you completed this	es	□ <sub>7</sub> Part time
Optional  Please provide your name and address if you would be interested in attending a group discussion about this review, if one were held.  Name  Street Address  Town/City Province Postal Code  Phone Fax  Personal information is being collected under the authority of the Government Organization Act solely for the purpose of Regulatory Review.  Please complete and detach the questionnaire and mail it by March 31, 1998 to:  Alberta Labour, Information Services (Surveys) or Fax: (403) 422-5070 c/o 10557 - 108 Street N.W. Edmonton, AB T5H 929  If you have any questions or wish to obtain any of the supplementary discussion papers, please contact Alberta Labour Employment Standards, 422-3311 (toll-free within Alberta by dialling 310-0000 and entering the 7 digit number).  Questions and requests can also be addressed by e-mail to esreview@lab.gov.ab.ca.  To obtain any documents directly by Internet visit our home page at http://www.gov.ab.ca/~lab.			_	□₁ sent unsolicited to you or your organization by
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Phone  Fax  Personal information is being collected under the authority of the Government Organization Act solely for the purpose of Regulatory Review.  Please complete and detach the questionnaire and mail it by March 31, 1998 to:  Alberta Labour, Information Services (Surveys) or Fax: (403) 422-5070 c/o 10557 - 108 Street N.W. Edmonton, AB T5H 9Z9  If you have any questions or wish to obtain any of the supplementary discussion papers, please contact Alberta Labour Employment Standards, 422-3311 (toll-free within Alberta by dialling 310-0000 and entering the 7 digit number).  Questions and requests can also be addressed by e-mail to esreview@lab.gov.ab.ca.  To obtain any documents directly by Internet visit our home page at http://www.gov.ab.ca/~lab.	Na	ime		
Personal information is being collected under the authority of the Government Organization Act solely for the purpose of Regulatory Review.  Please complete and detach the questionnaire and mail it by March 31, 1998 to:  Alberta Labour, Information Services (Surveys) or Fax: (403) 422-5070 c/o 10557 - 108 Street N.W. Edmonton, AB T5H 9Z9  If you have any questions or wish to obtain any of the supplementary discussion papers, please contact Alberta Labour Employment Standards, 422-3311 (toll-free within Alberta by dialling 310-0000 and entering the 7 digit number).  Questions and requests can also be addressed by e-mail to esreview@lab.gov.ab.ca.  To obtain any documents directly by Internet visit our home page at http://www.gov.ab.ca/~lab.	Str	reet Address		
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<ul> <li>Alberta Labour, Information Services (Surveys) or Fax: (403) 422-5070 c/o 10557 - 108 Street N.W. Edmonton, AB T5H 9Z9</li> <li>If you have any questions or wish to obtain any of the supplementary discussion papers, please contact Alberta Labour Employment Standards, 422-3311 (toll-free within Alberta by dialling 310-0000 and entering the 7 digit number).</li> <li>Questions and requests can also be addressed by e-mail to esreview@lab.gov.ab.ca.</li> <li>To obtain any documents directly by Internet visit our home page at http://www.gov.ab.ca/~lab.</li> </ul>			rity of the Go	vernment Organization Act solely for the purpose of
<ul> <li>c/o 10557 - 108 Street N.W.         Edmonton, AB T5H 9Z9</li> <li>If you have any questions or wish to obtain any of the supplementary discussion papers, please contact Alberta Labour Employment Standards, 422-3311 (toll-free within Alberta by dialling 310-0000 and entering the 7 digit number).</li> <li>Questions and requests can also be addressed by e-mail to esreview@lab.gov.ab.ca.</li> <li>To obtain any documents directly by Internet visit our home page at http://www.gov.ab.ca/~lab.</li> </ul>	Pie	ease complete and detach the questionnaire and	mail it by Ma	rch 31, 1998 to:
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# Construction and Brush Clearing Vacation Pay and General Holiday Pay

# Supplementary Discussion Paper and Questionnaire

If you have any questions please contact Alberta Labour, Employment Standards at 422-3311 (outside Edmonton, dial 310-0000 and ask for 422-3311 to be connected toll-free).





# **Construction and Brush Clearing**

Vacation Pay and General Holiday Pay

(Sections 44-50 of the Employment Standards Regulation)

Discussion

### Introduction

Alberta Labour has initiated a comprehensive review of the *Employment Standards Regulation*. The objective is to eliminate provisions where possible, and amend where necessary to reflect changing realities in the workplace. Where existing provisions are no longer relevant or can no longer be justified, **they will be removed from the regulation**.

A general discussion paper with questionnaire, available from Employment Standards, addresses most of the major elements of the regulation. This discussion paper provides background information and a questionnaire for the part of the regulation that specifically relates to the payment of general holiday pay and vacation pay in the construction industry and brush clearing.

## Background

Employers are allowed to pay their employees, employed in construction and brush clearing, vacation and general holiday entitlements in a different manner than the normal provisions in the *Employment Standards Code*. The current provisions, in different forms, have been in effect for more than 25 years.

Employees in the construction industry and brush clearing must receive vacation pay of 6% of their wages, along with general holiday pay of at least 3.6% of their wages. There is no qualifying period, therefore employees become entitled to general holiday pay from the outset of employment. However, there is no requirement that employees be given the general holiday off.

Both vacation pay and general holiday pay must be paid on or before December 31 of each year, or on termination of employment, whichever comes first. For employees who receive a vacation, vacation pay is to be paid the day before vacation commences.

- Is the method of paying vacation pay and general holiday pay to employees to construction employees, as outlined in the regulation, still appropriate?
- Is the definition of "construction employee" provided in section 44 of the regulation adequate to describe those to whom it applies? (Note: Section 5 of the regulation has a similar definition.)



# Construction and Brush Clearing

Vacation Pay and General Holiday Pay

Questionnaire

Your opinions are important to us. If there are issues of concern to you that are not addressed in the questions, please identify them and provide your observations. Attach additional pages if necessary. You need not reveal your identity.

1a. Is the method of paying vacation pay and general holiday pay to construction and brush clearing employees, as outlined in the regulation, still appropriate?  Yes □₁ No □₂  1b. If yes, why?  1c. If no, why?  1d. What is an appropriate method?  2a. Is the definition of "construction employee" provided in the regulation adequate to describe those to whom it applies?  Yes □₁ No □₂  2b. If yes, why?  2c. If no, why?		
Yes □₁ No □₀  1b. If yes, why?  1c. If no, why?  1d. What is an appropriate method?  2a. Is the definition of "construction employee" provided in the regulation adequate to describe those to whom it applies?  Yes □₁ No □₀  2b. If yes, why?  2c. If no, why?	1a.	. Is the method of paying vacation pay and general holiday pay to construction and brush clearing
1b. If yes, why?  1c. If no, why?  1d. What is an appropriate method?  2a. Is the definition of "construction employee" provided in the regulation adequate to describe those to whom it applies?  Yes □, No □₀  2b. If yes, why?  2c. If no, why?		
1c. If no, why?  1d. What is an appropriate method?  2a. Is the definition of "construction employee" provided in the regulation adequate to describe those to whom it applies?  Yes □₁ No □₀  2b. If yes, why?  2c. If no, why?	4 1-	
1d. What is an appropriate method?  2a. Is the definition of "construction employee" provided in the regulation adequate to describe those to whom it applies?  Yes □₁  No □₀  2b. If yes, why?  2c. If no, why?	ID.	. If yes, why?
1d. What is an appropriate method?  2a. Is the definition of "construction employee" provided in the regulation adequate to describe those to whom it applies?  Yes □₁  No □₀  2b. If yes, why?  2c. If no, why?		
1d. What is an appropriate method?  2a. Is the definition of "construction employee" provided in the regulation adequate to describe those to whom it applies?  Yes □₁  No □₀  2b. If yes, why?  2c. If no, why?		
1d. What is an appropriate method?  2a. Is the definition of "construction employee" provided in the regulation adequate to describe those to whom it applies?  Yes □₁  No □₀  2b. If yes, why?  2c. If no, why?		
1d. What is an appropriate method?  2a. Is the definition of "construction employee" provided in the regulation adequate to describe those to whom it applies?  Yes □₁  No □₀  2b. If yes, why?  2c. If no, why?	1c	If no why?
2a. Is the definition of "construction employee" provided in the regulation adequate to describe those to whom it applies?  Yes □₁ No □₀  2b. If yes, why?  2c. If no, why?	10.	. If no, why:
2a. Is the definition of "construction employee" provided in the regulation adequate to describe those to whom it applies?  Yes □₁ No □₀  2b. If yes, why?  2c. If no, why?		
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2a. Is the definition of "construction employee" provided in the regulation adequate to describe those to whom it applies?  Yes □₁ No □₀  2b. If yes, why?  2c. If no, why?		
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whom it applies?  Yes □₁ No □₀  2b. If yes, why?  2c. If no, why?	2a.	Is the definition of "construction employee" provided in the regulation adequate to describe those to
2b. If yes, why?  2c. If no, why?		whom it applies?
2c. If no, why?		Yes □₁ No □₀
	2b.	If yes, why?
	_	
2d. What would be appropriate?	2c.	If no, why?
2d. What would be appropriate?		
2d. What would be appropriate?		
2d. What would be appropriate?		
2d. What would be appropriate?		
	2d.	What would be appropriate?
	_	



Standards Regulation.	
Answers to the following questions will assist us i	in the analysis of the questionnaire.
Do you work in the construction industry?	2b. If you are responding as an employee, are you
Yes □ <sub>1</sub> No □ <sub>0</sub>	employed: □ <sub>6</sub> Full time
2a. Please indicate which of the following best descri	
your perspective when you completed this questionnaire:	□ <sub>e</sub> Contract/seasonal
$\Box_1$ Employer $\Box_2$ Representing employe	
□ <sub>3</sub> Employee □ <sub>4</sub> Representing employe	ees
□ <sub>5</sub> Other(Please specify)	□₂ requested by you or your organization?
(i icase specify)	
	Optional
	e interested in attending a group discussion about this review, if one
were held.	
Name	
Street Address	
Town/City	Province Postal Code
Phone	Fax ·
Personal information is being collected under the auth	nority of the Government Organization Act solely for the purpose of
Regulatory Review.	only of the Government Organization Act solely for the purpose of
Please complete and detach the questionnaire and	d mail it by March 31, 1998 to:
Alberta Labour, Information Services (Surveys)	or Fax: (403) 422-5070
c/o 10557 - 108 Street N.W. Edmonton, AB T5H 9Z9	
	the supplementary discussion papers, please contact Alberta Labour
Employment Standards, 422-3311 (toll-free within Questions and requests can also be addressed by	Alberta by dialling 310-0000 and entering the 7 digit number).
<ul> <li>Questions and requests can also be addressed by</li> <li>To obtain any documents directly by Internet visit of</li> </ul>	our home page at http://www.gov.ab.ca/~lab.
Thank v	ou for your participation.
Thank y	ou for your participation.

3. Please provide any additional comments you may have concerning this part of the Employment





# Ambulance Drivers and Attendants

# Supplementary Discussion Paper and Questionnaire

If you have any questions please contact Alberta Labour, Employment Standards at 422-3311 (outside Edmonton, dial 310-0000 and ask for 422-3311 to be connected toll-free).



## **Ambulance Drivers and Attendants**

(Sections 14-17 of the Employment Standards Regulation)

Discussion

### Introduction

Alberta Labour has initiated a comprehensive review of the *Employment Standards Regulation*. The objective is to eliminate provisions where possible, and amend where necessary to reflect changing realities in the workplace. Where existing provisions are no longer relevant or can no longer be justified, **they will be removed from the regulation**.

A general discussion paper with questionnaire, available from Employment Standards, addresses most of the major elements of the regulation. This discussion paper provides background information and a questionnaire for the part of the regulation that specifically relates to ambulance drivers and attendants.

## **Background**

Employees employed as ambulance drivers and attendants begin to accumulate overtime hours after working 10 hours in a day and after 60 hours in a week. Overtime hours for the week must be calculated both on a daily and a weekly basis, and the greater of the two must be paid. This compares to the *Employment Standards Code* requirement for overtime pay after 8 hours per day or 44 hours per week, whichever generates the greater number of hours. These provisions have, in different forms, been in effect for more than 25 years.

A feature found only in the regulation's ambulance services provisions allows paid hours of work to differ from hours on duty. This feature allows the 14 hour period between 6:00 p.m. and the following 8:00 a.m. to be considered as 10 hours of work if sleeping accommodations are provided. In comparison, the *Employment Standards Code* confines hours of work to a period of 12 consecutive hours in one day.

- Are the circumstances of employment in rural and urban areas sufficiently different to justify different rules for the calculation of work time and payment for work?
- Is the provision that extends daily hours of work from 12 to 14 hours for night shift employees who are supplied with sleeping accommodations, still appropriate?
- Does the ambulance services industry require relief from the *Employment Standards Code's* hours of work and overtime provisions?



### **Ambulance Drivers and Attendants**

*Questionnaire* 

Your opinions are important to us. If there are issues of concern to you that are not addressed in the questions, please identify them and provide your observations. Attach additional pages if necessary. You need not reveal your identity.

	Yes □₁ No □₀
1b.	If yes, why?
1c.	What differences would be appropriate?
_	
1d.	If no, why?
2a.	The regulation specifies that if sleeping accommodations are provided, a 14 hour period of time between 6:00 p.m. to the following 8:00 a.m. is considered as 10 hours for determining the number of work hours during this period. Is this provision still appropriate?  Yes $\square_1$ No $\square_0$
	between 6:00 p.m. to the following 8:00 a.m. is considered as 10 hours for determining the number of work hours during this period. Is this provision still appropriate?
	between 6:00 p.m. to the following 8:00 a.m. is considered as 10 hours for determining the number of work hours during this period. Is this provision still appropriate? Yes $\square_1$ No $\square_0$
	between 6:00 p.m. to the following 8:00 a.m. is considered as 10 hours for determining the number of work hours during this period. Is this provision still appropriate? Yes $\square_1$ No $\square_0$
2b.	between 6:00 p.m. to the following 8:00 a.m. is considered as 10 hours for determining the number of work hours during this period. Is this provision still appropriate? Yes $\square_1$ No $\square_0$
2b.	between 6:00 p.m. to the following 8:00 a.m. is considered as 10 hours for determining the number of work hours during this period. Is this provision still appropriate? Yes $\Box_1$ No $\Box_0$ If yes, why?
2b.	between 6:00 p.m. to the following 8:00 a.m. is considered as 10 hours for determining the number of work hours during this period. Is this provision still appropriate? Yes $\Box_1$ No $\Box_0$ If yes, why?
2b.	between 6:00 p.m. to the following 8:00 a.m. is considered as 10 hours for determining the number of work hours during this period. Is this provision still appropriate?  Yes  No  No  If yes, why?  If no, why?
2b.	between 6:00 p.m. to the following 8:00 a.m. is considered as 10 hours for determining the number of work hours during this period. Is this provision still appropriate?  Yes  No  No  If yes, why?  If no, why?

	Yes □₁	No □ <sub>o</sub>	
3b. If yes, why?			
3c. What is an appropria	ate variance?		
3d. If no, why?			
4a. If this variance is st describe those to whor	m it applies?	mbulance drivers and attendant	s" adequate to
4b. <b>If yes</b> , why?	Yes □₁	No □ <sub>o</sub>	
4c. If no, why?			
4c. If no, why?			
4c. If no, why?			
	propriate definition?		
	opropriate definition?		
	opropriate definition?		
4d. What would be an ap	additional comments you ma	ay have concerning this part of	the <i>Employment</i>
4c. If no, why?  4d. What would be an ap  5. Please provide any Standards Regulati	additional comments you ma	y have concerning this part of	the <i>Employment</i>

Answers to the following questions will assist us in the ar	nalysis of the questionnaire.
1. Do you work in the ambulance industry?	2b. If you are responding as an employee, are you
Yes □₁ No □₀	employed:
2a. Please indicate which of the following best describes	□ <sub>6</sub> Full time □ <sub>7</sub> Part time
your perspective when you completed this	□ <sub>7</sub> Fart time □ <sub>8</sub> Contract/seasonal
questionnaire:	
□ <sub>1</sub> Employer □ <sub>2</sub> Representing employers □ <sub>3</sub> Employee □ <sub>4</sub> Representing employees	This discussion paper and questionnaire were:
□ <sub>3</sub> Employee □ <sub>4</sub> Representing employees	☐ <sub>1</sub> sent unsolicited to you or your organization by Alberta Labour, or
□ <sub>5</sub> Other(Please specify)	☐₂ requested by you or your organization?
(i lease specify)	
Opt	tional
Please provide your name and address if you would be interes	eted in attending a group discussion about this review if one
were held.	sted in attending a group discussion about this review, if one
Name	
Street Address	
Town/City Prov	vince Postal Code
Phone Fax	
Personal information is being collected under the authority of t Regulatory Review.	the Government Organization Act solely for the purpose of
Please complete and detach the questionnaire and mail it	by March 31, 1998 to:
Alberta Labour, Information Services (Surveys) or c/o 10557 - 108 Street N.W. Edmonton, AB T5H 9Z9	Fax: (403) 422-5070
. If you have any questions or wish to obtain any of the sum	olementary discussion papers, please contact Alberta Labour
<ul> <li>If you have any questions or wish to obtain any of the supp Employment Standards, 422-3311 (toll-free within Alberta I</li> </ul>	
· Questions and requests can also be addressed by e-mail to	o esreview@lab.gov.ab.ca.
To obtain any documents directly by Internet visit our home	e page at http://www.gov.ab.ca/~lab.
Thank you for y	our participation.

5. (continued)





# **Field Services**

# Supplementary Discussion Paper and Questionnaire

If you have any questions please contact Alberta Labour, Employment Standards at 422-3311 (outside Edmonton, dial 310-0000 and ask for 422-3311 to be connected toll-free).

Questions and requests can also be addressed by e-mail to esreview@lab.gov.ab.ca. Any documents related to the regulation review can be obtained through the Internet by visiting our home page at: http://www.gov.ab.ca/~lab





# **Field Services**

(Sections 18-21 of the Employment Standards Regulation)

Discussion

### Introduction

Alberta Labour has initiated a comprehensive review of the *Employment Standards Regulation*. The objective is to eliminate provisions where possible, and amend where necessary to reflect changing realities in the workplace. Where existing provisions are no longer relevant or can no longer be justified, **they will be removed from the regulation**.

A general discussion paper with questionnaire, available from Employment Standards, addresses most of the major elements of the regulation. This discussion paper provides background information and a questionnaire for the part of the regulation that specifically relates to field services.

### **Background**

Employees in field services begin to accumulate overtime hours after working 10 hours in a day and after 191 hours in a month. Overtime hours for the month must be calculated both on a daily and a monthly basis, and the greater of the two must be paid. This compares to the *Employment Standards Code* requirement for overtime pay after 8 hours per day or 44 hours per week, whichever generates the greater number of hours. The current provisions have been in effect for more than 20 years.

This part of the regulation applies to employers and their employees in the following activities:

- · field catering;
- geophysical exploration;
- · land surveying;
- · logging and lumbering; and
- maintenance, construction or removal of snow from roads in municipal districts or Metis settlements.

### Issues

- Do field services require relief from the *Employment Standards Code's* hours of work and overtime provisions? Should the variance be modified?
- If relief is still required, is the description in the regulation of the different field services adequate to describe those to whom it applies?



# **Field Services**

### Questionnaire

Your opinions are important to us. If there are issues of concern to you that are not addressed in the questions, please identify them and provide your observations. Attach additional pages if necessary. You need not reveal your identity.

1a. Is a variance in the for field services		de's overtime and hours of work provisions neces
	Yes □₁	No □₀
1b. If yes, why?		
1c. What is an approp	riate variance?	
1d. If no, why?		
<del></del>		
2a. If this variance is to describe those	still required, is the description to whom it applies?  Yes □₁	n of field service activities in the regulation adequ ${\sf No}\ \Box_{\! \scriptscriptstyle 0}$
2b. <b>If yes</b> , why?	165 🖂	140 Li <sub>0</sub>
2c. If no, why?		
2d. What would be ap	propriate?	



3.	Please provide any additional comments you n Standards Regulation.	nay hav	e concerning this part of the <i>Employment</i>
Λ m.	servers to the following questions will assist us in the	analysis	of the questionnoire
	nswers to the following questions will assist us in the		
1.		20.	If you are responding as an employee, are you employed:
	Yes □ <sub>1</sub> No □ <sub>0</sub>		□ <sub>6</sub> Full time
2a.	. Please indicate which of the following best describes		□ <sub>7</sub> Part time
	your perspective when you completed this		□ <sub>8</sub> Contract/seasonal
	questionnaire: $\square_1$ Employer $\square_2$ Representing employers	3.	This discussion paper and questionnaire were:
	□ <sub>3</sub> Employee □ <sub>4</sub> Representing employees	0.	□₁ sent unsolicited to you or your organization by
	□ <sub>5</sub> Other		Alberta Labour, or
	(Please specify)		□ <sub>2</sub> requested by you or your organization?
_	0.	ptional	
	O <sub>I</sub>	ptionai	
	ease provide your name and address if you would be interere held.	ested in	attending a group discussion about this review, if one
Nan	me		
Stre	reet Address		
Tow	wn/City Pr	rovince	Postal Code
Pho	one Fa	ax	
	ersonal information is being collected under the authority o egulatory Review.	f the Gov	vernment Organization Act solely for the purpose of
Ple	ease complete and detach the questionnaire and mail	it by Ma	rch 31, 1998 to:
	Alberta Labour, Information Services (Surveys)	r Fax	:: (403) 422-5070
	c/o 10557 - 108 Street N.W. Edmonton, AB T5H 9Z9		
	If you have any questions or wish to obtain any of the superployment Standards, 422-3311 (toll-free within Alberta Questions and requests can also be addressed by e-mai	a by diall I to esrev	ing 310-0000 and entering the 7 digit number). riew@lab.gov.ab.ca.
•	To obtain any documents directly by Internet visit our hor	me page	at http://www.gov.ab.ca/~lab.
	Thank you for	your pa	nrticipation.









PROVINCE OF ALBERTA

# **EMPLOYMENT STANDARDS CODE**

# EMPLOYMENT STANDARDS REGULATION

Alberta Regulation 14/97 with amendments up to and including Alberta Regulation 249/97

Consolidated January 22, 1998

# OFFICE CONSOLIDATION

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# **Employment Standards Code**

### **EMPLOYMENT STANDARDS REGULATION**

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Definition

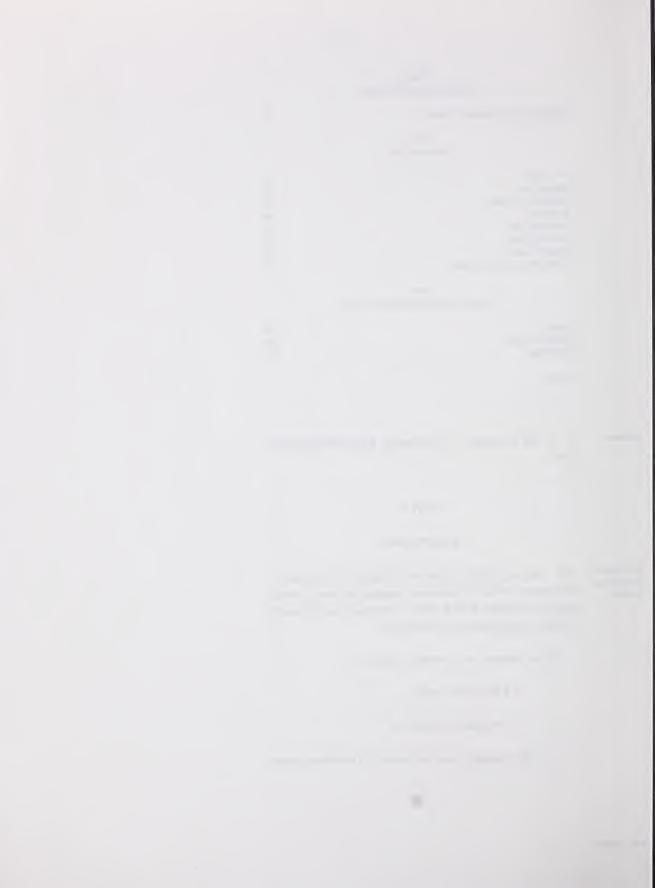
1 In this Regulation, "Act" means the *Employment Standards Code*.

### PART 1

#### **EXEMPTIONS**

Hours of work, overtime and records

- **2(1)** Section 14(1)(a) of the Act (relating to the keeping of employment records for regular and overtime time hours of work) and Part 2, Divisions 3 and 4 of the Act (relating to hours of work, overtime and overtime pay) do not apply to
  - (a) an employee who is employed entirely in
    - (i) a supervisory capacity,
    - (ii) a managerial capacity, or
    - (iii) a capacity concerning matters of a confidential nature



and whose duties do not, other than in an incidental way, consist of work similar to that performed by other employees who are not so employed;

- (b) an employee who is
  - (i) a salesperson, other than a route salesperson, remunerated in whole or in part by commission, who is engaged in soliciting orders, principally outside of the employer's place of business, for goods or services that will subsequently be delivered or provided to the purchaser,
  - (ii) an automobile, recreational vehicle, truck or bus salesperson,
  - (iii) a mobile home salesperson,
  - (iv) a farm machinery salesperson,
  - (v) a heavy duty construction equipment or road construction equipment salesperson,
  - (vi) a residential home salesperson employed by a person who builds those homes,
  - (vii) authorized to trade in real estate as a real estate broker under the *Real Estate Act*,
  - (viii) a salesman registered under the Securities Act,
    - (ix) an individual holding a certificate under section 512 of the *Insurance Act*,
    - (x) a salesperson for a direct seller licensed under the Licensing of Trades and Businesses Act,
    - (xi) a land agent licensed under the Land Agents
      Licensing Act, or
  - (xii) an extra in a film or video production,

or to their respective employers while acting in the capacity of employer.

- (2) Section 14(1)(a) of the Act (relating to keeping of employment records for regular and overtime hours of work) and Part 2, Divisions 3 and 4 of the Act (relating to hours of work, overtime and overtime pay) do not apply to an employee or to the employee's employer while acting in the capacity of employer if the employee is
  - (a) a registered architect, restricted practitioner or visiting project architect, as defined in the Architects Act,
  - (b) a certified general accountant or student member, as defined in the Certified General Accountants Act,
  - (c) a certified management accountant as defined in the Certified Management Accountants Act,
  - (d) a chartered accountant or student, as defined in the Chartered Accountants Act,
  - (e) a registered member or a registered practitioner, as defined in the *Chiropractic Profession Act*,
  - (f) a licensed member, professional corporation or registered practitioner, as defined in the *Dental Profession Act*,
  - (g) a professional member or member-in-training, as defined in the Engineering, Geological and Geophysical Professions Act,
  - (h) an active member or a student-at-law, as defined in the Legal Profession Act,
  - (i) an authorized entity as defined in the *Optometry Profession Act*,
  - (j) a podiatrist as defined in the Podiatry Act,
  - (k) a chartered psychologist or registrant as defined in the Psychology Profession Act, or
  - (1) a registered veterinarian or permit holder as defined in the *Veterinary Profession Act*,

so long as that person is carrying on the occupation governed by the Acts referred to in this subsection.



General holidays and general holiday pay exemptions

- **3** Part 2, Division 5 of the Act (relating to general holidays and general holiday pay) does not apply to an employee who is
  - (a) a salesperson, other than a route salesperson, remunerated in whole or in part by commission, who is engaged in soliciting orders, principally outside of the employer's place of business, for goods or services that will subsequently be delivered or provided to the purchaser,
  - (b) an automobile, recreational vehicle, truck or bus salesperson,
  - (c) a mobile home salesperson,
  - (d) a farm machinery salesperson,
  - (e) a heavy duty construction equipment or road construction equipment salesperson,
  - (f) authorized to trade in real estate as a real estate broker under the Real Estate Act,
  - (g) a salesman registered under the Securities Act,
  - (h) an individual holding a certificate under section 512 of the *Insurance Act*, or
  - (i) an extra in a film or video production,

or to their respective employers while acting in the capacity of employer.

Vacation and vacation pay exemptions

- 4 Part 2, Division 6 of the Act (relating to vacations and vacation pay) does not apply to an employee who is
  - (a) a salesperson, other than a route salesperson, remunerated in whole or in part by commission, who is engaged in soliciting orders, principally outside of the employer's place of business, for goods or services that will subsequently be delivered or provided to the purchaser,
  - (b) authorized to trade in real estate as a real estate broker under the Real Estate Act,



- (c) a salesman registered under the Securities Act,
- (d) an individual holding a certificate under section 512 of the *Insurance Act*, or
- (e) an extra in a film or video production,

or to their respective employers while acting in the capacity of employer.

No notice of termination

- **5(1)** No termination notice is required to be given by an employee, and no termination notice, termination pay or combination of termination notice and termination pay is required to be given or paid by an employer to terminate the employment of an employee if
  - (a) the employee is employed at the site of and in the construction, erection, repair, remodelling, alteration, painting, interior decoration or demolition of any
    - (i) building or structure,
    - (ii) road, highway, railway or airfield,
    - (iii) sidewalk, curb or gutter,
    - (iv) pipeline,
    - (v) irrigation or drainage system,
    - (vi) earth and rock fill dam,
    - (vii) sewage system,
    - (viii) power transmission line or power distribution system, or
      - (ix) gas distribution system

unless the employee

- (x) is employed to perform ongoing maintenance, or
- (xi) is employed as an office employee;



- (b) the employee is employed in the cutting, removal, burning or other disposal of trees and brush, or either of them, for the primary purpose of clearing land and not for the harvesting of timber on it.
- (2) For the purpose of subsection (1)(a)(x), a person is deemed to be employed to perform ongoing maintenance if the person is continuously employed to maintain anything referred to in subsection (1)(a)(i) to (ix).

Domestic employment

- **6** The following provisions do not apply to employees employed in domestic work in a private dwelling, or to their employer while the employer is ordinarily resident in the dwelling and acting in the capacity of employer:
  - (a) Part 2, Divisions 3 and 4 of the Act (relating to hours of work, overtime and overtime pay), except for sections 18 and 19 of the Act (relating to rest periods and days of rest);
  - (b) Part 2, Division 5 of the Act (relating to general holidays and general holiday pay);
  - (c) Part 2 of this Regulation (relating to the minimum wage).

### PART 2

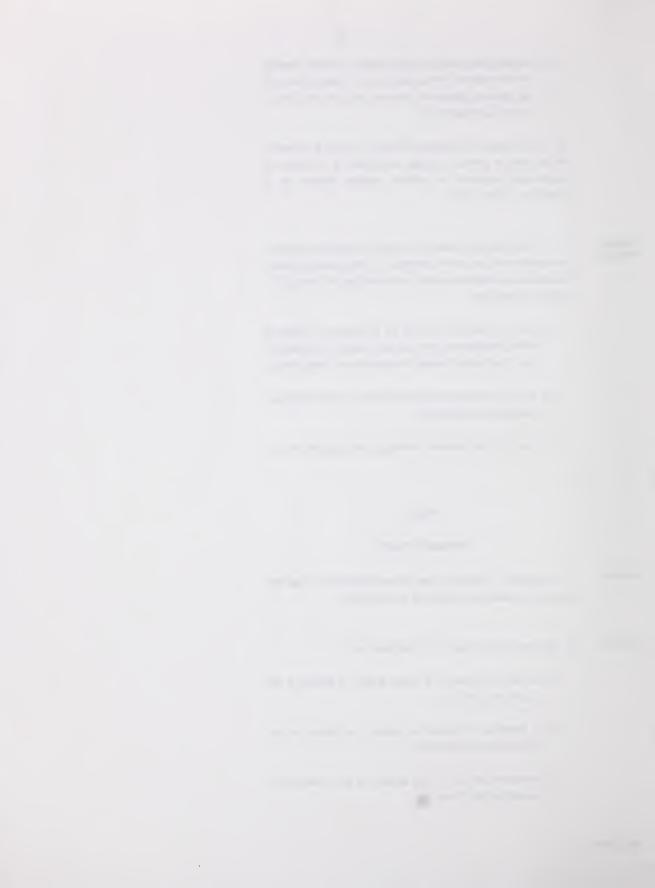
### **MINIMUM WAGE**

Definition

7 In this Part, "minimum wage" means the minimum wage that an employer must pay an employee under this Part.

Application

- 8 This Part does not apply to an employee who is
  - (a) an active member or a student-at-law, as defined in the Legal Profession Act,
  - (b) a chartered accountant or student, as defined in the Chartered Accountants Act,
  - (c) authorized to trade in real estate as a real estate broker under the Real Estate Act,



- (d) a salesman registered under the Securities Act,
- (e) an individual holding a certificate under section 512 of the Insurance Act,
- (f) a land agent licensed under the Land Agents Licensing Act,
- (g) a student engaged
  - (i) in a formal course of training approved by the Director,
  - (ii) in a work experience program approved by a board of trustees, and working with the consents required, under section 37 of the School Act, or
  - (iii) in a work experience program approved by the Minister of Advanced Education and Career Development or by an individual or committee designated by the Minister,

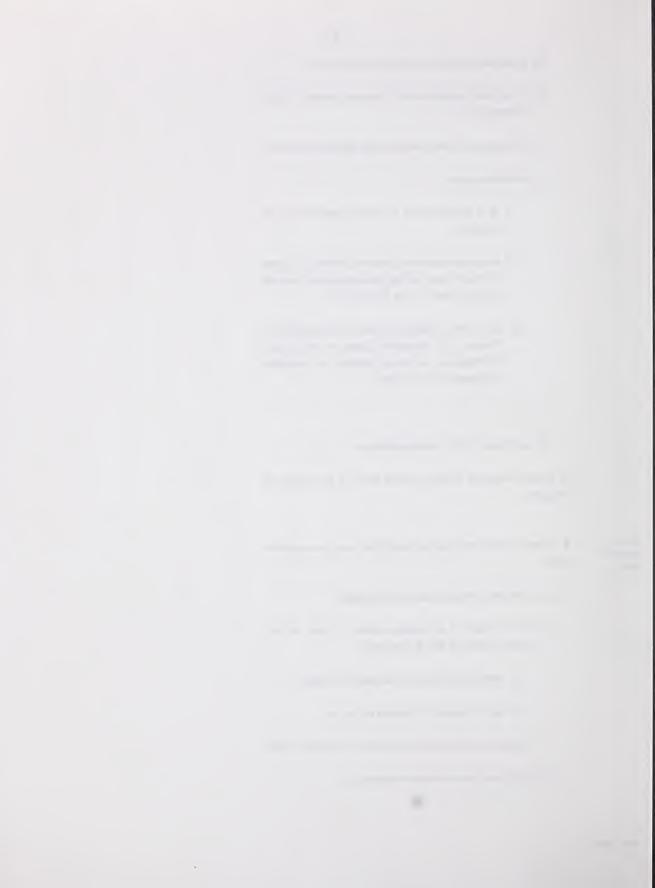
or

(h) an extra in a film or video production,

or to their respective employers while acting in the capacity of employer.

Basic minimum wage

- **9** Every employer must pay each employee a wage at a rate of at least
  - (a) \$5 an hour, unless clause (b) or (c) applies;
  - (b) \$4.50 an hour to an employee under 18 years old who attends school and who is employed
    - (i) outside the employee's normal school hours,
    - (ii) on a weekend or a vacation period, or
    - (iii) on any other day that the school is officially closed;
  - (c) \$200 a week to an employee employed as



- (i) a salesperson for a commercial agent licensed under the Licensing of Trades and Businesses Act;
- (ii) a salesperson, other than a route salesperson, remunerated in whole or in part by commission, who is engaged in soliciting orders, principally outside of the employer's place of business, for goods or services that will subsequently be delivered or provided to the purchaser;
- (iii) an automobile, truck or bus salesperson;
- (iv) a mobile home salesperson;
- (v) a farm machinery salesperson;
- (vi) a heavy duty construction equipment or road construction equipment salesperson;
- (vii) a residential home salesperson employed by a person who builds those homes.

Calculation of minimum wage

10 In determining whether the minimum wage has been paid to an employee who is paid entirely or partly by commission or other incentive-based pay, the determination must be based on the wages paid over the pay period established by the employer for the calculation of wages or a period of one month, whichever is the shorter period.

Employment for less than 3 hours

- 11(1) Subject to subsections (3) and (4), if an employee is employed for less than 3 consecutive hours of work, the employer must pay the employee for 3 hours of work at not less than the minimum wage to which the employee is entitled.
- (2) For the purposes of subsection (1),
  - (a) a meal period of one hour or less is not to be considered as part of the 3 consecutive hours of work, and
  - (b) hours of work immediately following the meal period referred to in clause (a) are to be counted as if they were hours of work following consecutively the hours of work before the meal period.



- (3) If an employee is
  - (a) employed in a recreation or athletic program on a part time basis by a municipality, Metis settlement or community service organization that is not operated for profit, or
  - (b) employed as a school bus driver,

for less than 2 consecutive hours of work, the employer must pay the employee for 2 hours of work at not less than the minimum wage to which the employee is entitled.

(4) If an employee under 18 years of age who attends school and who is employed for less than 2 consecutive hours of work outside normal school hours or on a weekend, a vacation period or any other day that the school is officially closed, the employer must pay the employee for 2 hours of work at not less than the minimum wage to which the employee is entitled.

Board and lodging deductions

- 12(1) If board and lodging or either of them are furnished by an employer to an employee, the amount by which the wages of the employee may be reduced below the minimum wage to which the employee is entitled by way of a deduction from wages or a payment out of wages, or both, must not exceed
  - (a) \$1.65 for a single meal, and
  - (b) \$2.20 a day for lodging.
- (2) Despite subsection (1)(a), an employer must not make deductions from the minimum wage for a meal not consumed by an employee.

Other deductions

13 No employer may reduce the wage of an employee below the minimum wage to which the employee is entitled by making a deduction from or receiving payment out of wages for the furnishing, use, repair or laundering of any uniforms or special articles of wearing apparel that the employer requires the employee to wear during the employee's hours of work.



### PART 3 HOURS OF WORK AND OVERTIME PAY

### Division 1 Ambulance Drivers and Attendants

#### Application

14 This Division applies to all employees employed as ambulance drivers or ambulance attendants, and to their respective employers while acting in the capacity of employer.

### Substitution for Act

15 This Division applies in substitution for section 21 of the Act.

#### Overtime hours

- 16 Overtime hours in respect of a work week are
  - (a) the total of an employee's hours of work in excess of 10 on each work day in the work week, or
  - (b) an employee's hours of work in excess of 60 hours in the work week,

whichever is greater, and, if the hours in clauses (a) and (b) are the same, the overtime hours are those common hours.

### Counting hours of work

**17(1)** Despite section 16 of the Act, an employee may work from 6:00 p.m. to the following 8:00 a.m. if the employee is provided with sleeping accommodation.

### (2) If an employee

- (a) is on duty from 6:00 p.m. to the following 8:00 a.m., and
- (b) is provided with sleeping accommodation,

the 14-hour period is, for the purposes of determining the number of hours of work, to be considered 10 hours of work.



### Division 2 Field Services

#### Definitions

- 18 In this Division,
  - (a) "field catering" means work performed or services provided in the operation of field camps that provide food services or accommodation;
  - (b) "geophysical exploration" means the application of a physical science in the determination of geologic or other conditions for the location of oil, natural gas, coal or other minerals;
  - (c) "land surveying" means the execution of land surveys or the execution of surveys of oil or gas well sites;
  - (d) "logging and lumbering" means
    - (i) the cutting of primary timber products,
    - (ii) the sawing of primary timber products into rough lumber, or
    - (iii) the planing of rough lumber,

and work incidental to any of them that is performed at or in the immediate vicinity of the logging and lumbering;

(e) "urban municipality" means any of the following that has a population of 1000 or more: a city, town, village, summer village or hamlet.

### Application

- 19 This Division applies to
  - (a) employees employed in an undertaking that consists of
    - (i) field catering,
    - (ii) geophysical exploration but not including a professional member or member-in-training, as defined in the Engineering, Geological and Geophysical Professions Act,
    - (iii) land surveying, or



(iv) logging and lumbering,

if the undertaking does not take place within an urban municipality or within 16 km of an urban municipality,

- (b) the respective employers of the employees referred to in clause (a) while acting in the capacity of employer, and
- (c) employees of a municipal district or Metis settlement employed in road construction, road maintenance or the removal of snow from roads and to their respective employers while acting in the capacity of employer.

Substitution for Act 20 This Division applies in substitution for section 21 of the Act.

Overtime hours

- 21(1) Overtime hours in respect of a work month are
  - (a) the total of an employee's hours of work in excess of 10 on each work day in the work month, or
  - (b) an employee's hours of work in excess of 191 hours in the work month,

whichever is greater, and, if the hours in clauses (a) and (b) are the same, the overtime hours are those common hours.

- (2) If an employee, in the first or last work month of the employee's employment, completes less than 191 hours of work, the overtime hours in respect of a work week in that first or last work month are
  - (a) the total of an employee's hours of work in excess of 10 on each work day in the work week, or
  - (b) an employee's hours of work in excess of 44 hours in the work week,

whichever is greater, and, if the hours in clauses (a) and (b) are the same, the overtime hours are those common hours.



# Division 3 Highway and Railway Construction and Brush Clearing

### Definitions

### 22 In this Division,

- (a) "brush clearing" means the cutting, removal and burning or other disposition of trees or brush for the primary purpose of clearing land and not for the harvesting of timber on it;
- (b) "railway construction" means work performed in respect of the construction, maintenance or repair of a railway;
- (c) "road construction" means work performed in respect of the construction, maintenance or repair of a road or highway.

### Application

### 23 This Division applies to

- (a) employees employed in brush clearing, and
- (b) employees engaged in railway construction and highway construction
  - (i) outside the boundaries of a city, town or village, and
  - (ii) inside the boundaries of a city, town or village where the railway construction or road construction is a continuation of railway construction or road construction carried on by the same employer outside the boundary of the city, town or village,

and to their respective employers while acting in the capacity of employer.

#### Substitution for Act

24 This Division applies in substitution for section 21 of the Act.

### Overtime hours

### 25 Overtime hours in respect of a work week are

- (a) the total of an employee's hours of work in excess of 10 on each work day in the work week, or
- (b) the employee's hours of work in excess of 44 hours in the work week,



whichever is greater, and, if the hours in clauses (a) and (b) are the same, the overtime hours are those common hours.

## Division 4 Irrigation Districts

Application

- **26(1)** This Division applies to employees of irrigation districts, other than office employees, who are
  - (a) employed full time, and
  - (b) paid wages on a monthly basis,

and to their respective employers while acting in the capacity of employer.

(2) This Division applies during April 1 to October 31 each year.

Substitution for Act 27 This Division applies in substitution for section 21 of the Act.

Overtime hours

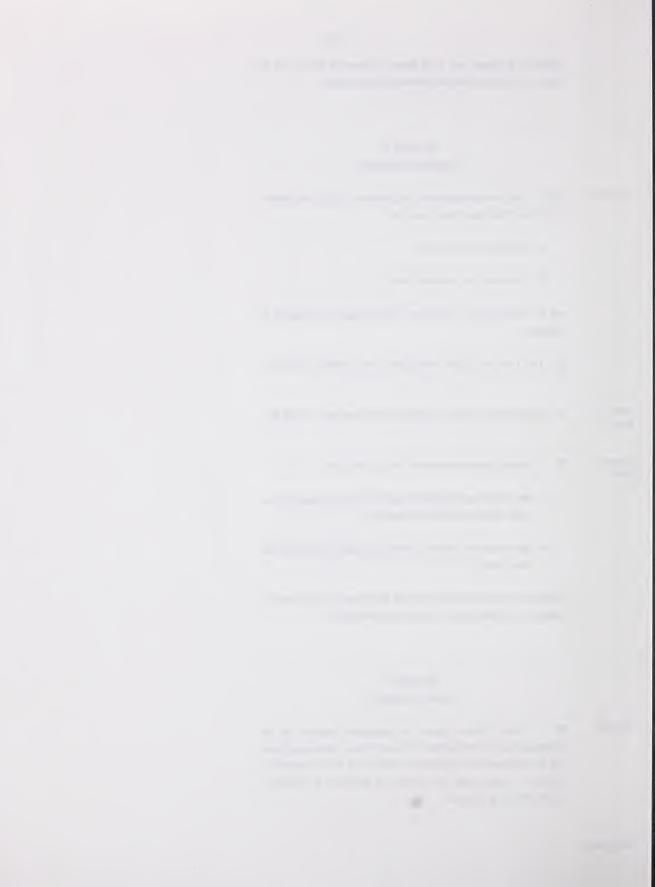
- 28 Overtime hours in respect of a work week are
  - (a) the total of an employee's hours of work in excess of 9 on each work day in the work week, or
  - (b) the employee's hours of work in excess of 54 hours in the work week.

whichever is greater, and, if the hours in clauses (a) and (b) are the same, the overtime hours are those common hours.

### Division 5 Nursery Industry

Application

This Division applies to employees employed in the propagation and the preparation for sale of trees, shrubs and plants and to their respective employers while acting in the capacity of employer, except when the employer's operation is principally carried on in a greenhouse.



Substitution for Act

30 This Division applies in substitution for section 21 of the Act.

Overtime hours

- 31 Overtime hours in respect of a work week are
  - (a) the total of an employee's hours of work in excess of 9 on each work day in the work week, or
  - (b) the employee's hours of work in excess of 48 hours in the work week,

whichever is greater, and, if the hours in clauses (a) and (b) are the same, the overtime hours are those common hours.

## Division 6 Oilwell Servicing

Definition

- 32 In this Division, "oilwell servicing" means
  - (a) the operation performed or service provided that is necessary for the completion, recompletion or remedial treatment of an oil or gas well, or
  - (b) the supplementary operation performed or service provided that is necessary to the drilling of an oil or gas well,

when the operation performed or service provided is applied in respect of the well, but does not include the operation performed in respect of the actual drilling of the well and does not include work performed with a mobile workover or completion service rig.

Application

33 This Division applies to employees employed in oilwell servicing and to their respective employers while acting in the capacity of employer.

Substitution for Act

34 This Division applies in substitution for section 21 of the Act.



Overtime hours

- 35(1) Overtime hours in respect of a work month are
  - (a) the total of an employee's hours of work in excess of 12 on each work day in the work month, or
  - (b) the employee's hours of work in excess of 191 hours in the work month,

whichever is greater, and, if the hours in clauses (a) and (b) are the same, the overtime hours are those common hours.

- (2) If an employee, in the first or last work month of the employee's employment, completes less than 191 hours of work, the overtime hours in respect of a work week in that first or last work month are
  - (a) the total of an employee's hours of work in excess of 12 on each work day in the work week, or
  - (b) an employee's hours of work in excess of 44 hours in the work week,

whichever is greater, and, if the hours in clauses (a) and (b) are the same, the overtime hours are those common hours.

# Division 7 Taxi Cab Industry

Application

36 This Division applies to all employees employed as taxi cab drivers and to their respective employers while acting in the capacity of employer.

Substitution for Act

37 This Division applies in substitution for section 21 of the Act.

Overtime hours

- 38 Overtime hours in respect of a work week are
  - (a) the total of an employee's hours of work in excess of 10 on each work day in the work week, or
  - (b) the employee's hours of work in excess of 60 in the work week,



whichever is greater, and, if the hours in clauses (a) and (b) are the same, the overtime hours are those common hours.

### Division 8 Trucking Industry

Application

- 39 This Division applies
  - (a) to an employee employed as
    - (i) a truck driver operating a truck having a manufacturer's rated carrying capacity of 910 kilograms net weight or over that is registered as a public service vehicle or commercial vehicle and to an employee employed as the truck driver's helper or swamper, or
    - (ii) a bus driver operating a bus licensed as a public vehicle as defined in the Motor Transport Act,

other than a truck driver, bus driver, helper or swamper whose duties are performed entirely within the same city, and

(b) to the respective employers of the employees to which this Division applies while acting in the capacity of employer.

Substitution for Act

**40** Sections 41 and 42 apply in substitution for section 21 of the Act.

Overtime hours

- 41 Overtime hours in respect of a work week are
  - (a) the total of an employee's hours of work in excess of 10 on each work day in the work week, or
  - (b) the employee's hours of work in excess of 50 hours in the work week,

whichever is greater, and, if the hours in clauses (a) and (b) are the same, the overtime hours are those common hours.



Working period

42 For the purposes of this Division, an employee is to be considered to be working or performing a service from the time that the employee is required to report and does report until the time that the employee is relieved from work and all responsibility for work.

Hours of rest

43 After an employee completes a shift, the employer must not require the employee to resume work, nor may the employee resume work, unless the employee has had at least 8 consecutive hours of rest.

### PART 4

# CONSTRUCTION INDUSTRY AND BRUSH CLEARING (GENERAL HOLIDAY PAY AND VACATION PAY)

Definitions

- 44 In this Part,
  - (a) "construction employee" means an employee employed
    - (i) at the site of and in the construction, erection, repair, remodelling, alteration, painting and interior decoration or demolition of any
      - (A) building or structure,
      - (B) road, highway, railway or airfield,
      - (C) sidewalk, curb or gutter,
      - (D) pipeline,
      - (E) irrigation or drainage system,
      - (F) earth and rock fill dam,
      - (G) sewage system,
      - (H) power transmission line or power distribution system, or
      - (I) gas distribution system,



but does not include employees employed to perform ongoing maintenance at the site or office employees employed at the site, or

- (ii) in the cutting, removal, burning or other disposition of trees and brush or either of them for the primary purpose of clearing land and not for the harvesting of timber on it;
- (b) "construction employer" means an employer of a construction employee while acting in the capacity of employer.

Substitution for Act **45** This Division applies in substitution for sections 26 to 33 of the Act and Part 2, Division 6 of the Act (relating to vacations and vacation pay).

General holiday pay 46 A construction employer must pay to a construction employee in respect of general holidays, general holiday pay in an amount that is at least 3.6% of the employee's wages.

When paid

- 47 Despite section 8 of the Act, an employer must pay general holiday pay referred to in section 46
  - (a) on or before December 31 each year, or
  - (b) if the employment of a construction employee is terminated, whether by the construction employer or the construction employee, after the termination of employment within the time described in section 9 or 10 of the Act.

Vacation pay

48 A construction employer must pay to a construction employee vacation pay in an amount that is at least 6% of the employee's wages.

When paid

- **49** Subject to section 50, an employer must pay vacation pay referred to in section 48
  - (a) on or before December 31 each year, or



(b) on the day before the construction employee commences annual vacation, if the employee is to receive one,

whichever first occurs.

Vacation pay on termination

50 If the employment of a construction employee is terminated, whether by the construction employer or the construction employee, the construction employer must pay the construction employee the vacation pay to which the employee is entitled after the termination of employment within the time described in section 9 or 10 of the Act.

### PART 5

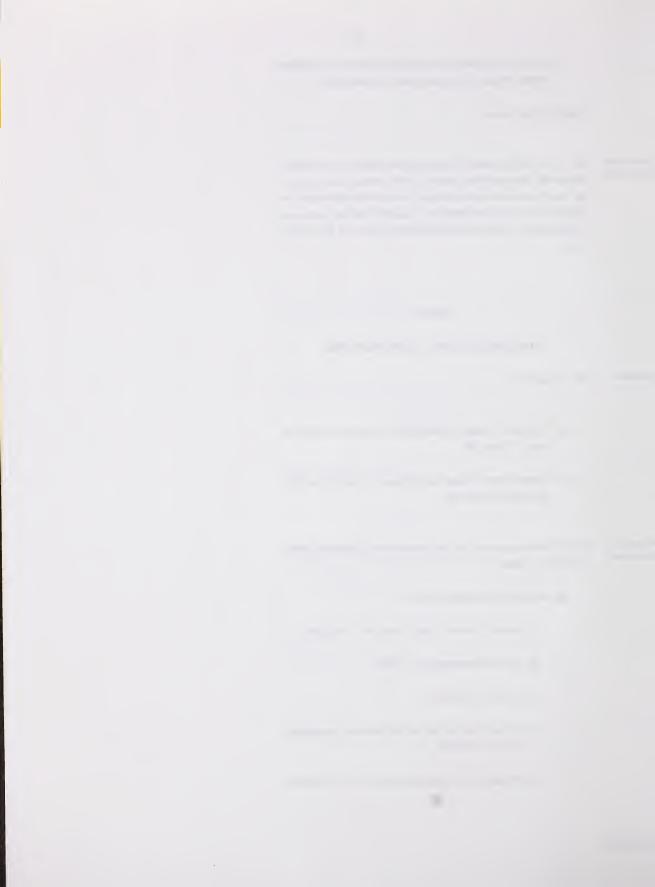
### ADOLESCENTS AND YOUNG PERSONS

Definitions

- 51 In this Part,
  - (a) "adolescent" means an individual 12 years old or older but under 15 years old;
  - (b) "young person" means an individual 15 years old or older but under 18 years old.

Adolescent's employment

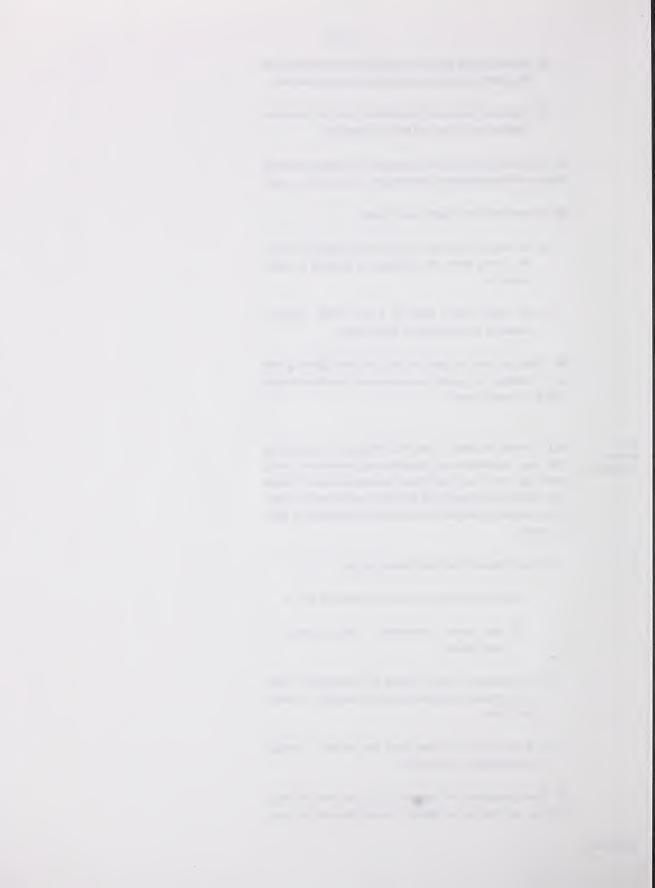
- **52(1)** No employer may employ an adolescent outside of normal school hours unless
  - (a) the adolescent is employed as a
    - (i) delivery person of small wares for a retail store,
    - (ii) clerk or messenger in an office,
    - (iii) clerk in a retail store,
    - (iv) delivery person for the distribution of newspapers, flyers or handbills, or
    - (v) worker in an occupation approved by the Director,



- (b) the employment is not or is not likely to be injurious to the life, health, education or welfare of the adolescent, and
- (c) a parent or guardian of the adolescent gives the prospective employer written consent to the employment.
- (2) Section 66 of the Act does not apply to the employment of an adolescent if the employment occurs outside of normal school hours.
- (3) No employer may employ an adolescent
  - (a) for longer than 2 hours outside of normal school hours on a day during which the adolescent is required to attend school, or
  - (b) for longer than 8 hours on a day during which the adolescent is not required to attend school.
- (4) During the period of time from 9:00 p.m. to the following 6:00 a.m., no employer may employ an adolescent and no adolescent may work in any employment.

Young persons employment

- **53(1)** During the period of time from 9:00 p.m. to the following 12:01 a.m., no employer may employ a young person and no young person may work in any employment on or in connection with any of the following premises unless the young person works with and is in the continuous presence of at least one other individual 18 years old or older:
  - (a) the premises of any retail business selling
    - (i) food or beverages, whether alcoholic or not, or
    - (ii) any -- other commodities, goods, wares or merchandise:
  - (b) the premises of a retail business in which gasoline, diesel fuel, propane or any other product of petroleum or natural gas is sold;
  - (c) a hotel, motel or other place that provides overnight accommodation to the public.
- (2) During the period of time from 12:01 a.m. to the following 6:00 a.m., no employer may employ a young person and no young



person may work, in any employment on or in connection with any of the premises specified in subsection (1).

- (3) With respect to the employment of young persons on premises not specified in subsection (1) during the period of time from 12:01 a.m. to the following 6:00 a.m., no employer may employ a young person and no young person may work in any employment unless
  - (a) a parent or guardian of the young person gives the prospective employer written consent to the employment, and
  - (b) during the employment the young person works with and is in the continuous presence of at least one individual 18 years old or older.

Conditions on employment

- **54(1)** The Director is authorized to impose conditions on the employment of an adolescent or young person whenever the director considers it necessary to do so.
- (2) The employer, adolescent or young person who is subject to the conditions must comply with them.

### PART 6

### RECIPROCATING JURISDICTIONS

Reciprocal enforcement of orders

- **55(1)** A jurisdiction set out in column 1 of the Schedule is declared, under section 113 of the Act, to be a reciprocating jurisdiction for the purpose of enforcing orders, awards, certificates or judgments for the payment of earnings made under an enactment of that jurisdiction.
- (2) The authority set out in column 2 of the Schedule is designated as the authority within that jurisdiction who may make applications or issue certificates under section 113 of the Act.



### PART 7

### **FEES AND COSTS**

Fee is debt

- **56(1)** A fee that is payable under this Part constitutes a debt owing from the person liable to pay it to the person to whom it is to be paid and is recoverable by an action in debt.
- (2) The remedy in subsection (1) is in addition to any other remedy given in this Part.

General fees

- **57(1)** For the purpose of recovering the costs of the Government in administering Part 2 of the Act in cases not otherwise specifically provided for in this Part, the Director must charge fees established by the Minister.
- (2) The Director may, if the Director considers it appropriate,
  - (a) waive the payment of a fee under subsection (1) or reduce the amount of the fee, or
  - (b) refund a fee paid under subsection (1).

Contracted services

- **58(1)** Where under the authority of section 72 of the Act the Director engages a person to perform a service or otherwise assist the Director or an officer in administering Part 2 of the Act, that person is entitled to recover, from the person specified by the Director, fees in an amount approved by the Director.
- (2) On being satisfied that a person has performed a service or given assistance referred to in subsection (1) and that the fee that is payable under subsection (1) in respect of that service or assistance is unpaid, the Director may issue to that person a fee certificate containing the following information:
  - (a) the fee that the person is entitled to for the service performed or the assistance given;
  - (b) the name of the person who is liable to pay the fee.
- (3) If a person who is required to pay a fee under this section fails to do so, the person who performed the service or gave the assistance may file the fee certificate with the clerk of the Court of Queen's Bench in the judicial district in which the fee certificate was



issued and the fee certificate is then enforceable as an order or judgment of the Court of Queen's Bench.

Audit fees

- **59(1)** If an audit of employer records is conducted by an employee of the Crown, the employer is liable to pay to the Crown a fee equal to 10% of the earnings alleged to be owing to employees.
- (2) If an audit of employer records is conducted by a person under the authority of section 72 of the Act, the employer is liable to pay to that person the fees approved by the Director.
- (3) No fee is payable under this section unless the Director has first notified the employer in writing that the audit will be conducted.
- (4) If as a result of an audit referred to in subsection (2) the Director is satisfied that the employer does not owe earnings to employees, the Director may reimburse the employer for all or part of the fee the employer paid to the person referred to in subsection (2).

Additional fee

- **60(1)** Where an officer or the Director makes an order under section 87 or 89 of the Act, an additional fee is payable by the employer to the Crown in an amount equal to
  - (a) 10% of the amount ordered to be paid under section 87 or 89 of the Act, or
  - (b) \$100,

whichever is greater, for each employee in respect of whom the order was made.

- (2) If under the authority of section 92 of the Act an officer or the Director revokes, amends or varies an order under section 87 or 89 of the Act, the fee under subsection (1) must
  - (a) be refunded if the order is revoked,
  - (b) be reduced proportionately and the amount of the reduction refunded if the amount payable under the order is reduced, or



(c) be increased proportionately and the amount of the increase be paid to the Crown by the employer if the amount payable under the order is increased.

Fees on appeal

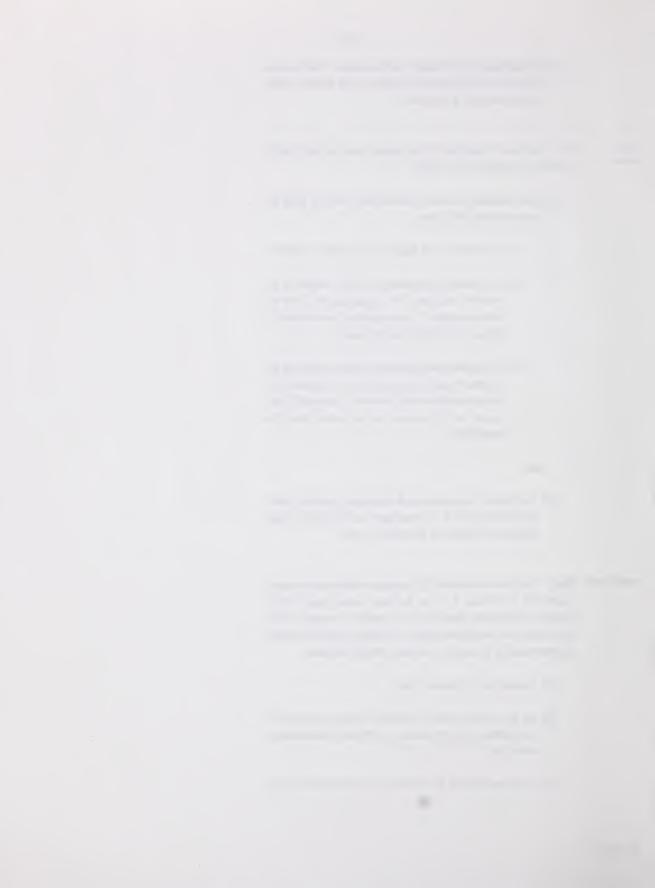
- **61** If an order of an officer or the Director under section 87 or 89 of the Act is appealed to an umpire,
  - (a) the additional fee under section 60(1) and any audit fee under section 59(1) must
    - (i) be refunded to the employer if the order is revoked,
    - (ii) be reduced proportionately and the amount of the reduction refunded if the amount payable under the order is reduced by the umpire or by agreement of the parties before the hearing date, or
    - (iii) be increased proportionately and the amount of the increase be paid by the employer to the Crown if the amount payable under the order is increased by the umpire or by agreement of the parties before the hearing date,

and

(b) the Director may reimburse the employer for all or part of an audit fee paid to a person under section 59(2), having regard to the nature of the umpire's order.

Umpire's costs

- **62(1)** Subject to subsection (2), an umpire who hears an appeal under Part 3, Division 4 of the Act may, having regard to the conduct of the parties, order any of the parties to the appeal to pay any or all of the Government's direct or indirect costs of the appeal as determined by the umpire including, without limitation,
  - (a) research and preparation costs,
  - (b) the fee or salary paid or attributable to persons involved in the hearing and those persons' travel and accommodation costs, and
  - (c) other expenses that are incidental to conducting the hearing.



- (2) No order for the payment of costs may be made against the Director.
- (3) An umpire's order for the payment of costs is part of an order of the umpire for the purposes of the Act.

Third party collection costs

### 63(1) If

- (a) a person other than an employee of the Crown (in this section referred to as the collector) collects on behalf of an employee money owing to the employee pursuant to an order that is filed in the Court of Queen's Bench under section 110 of the Act, and
- (b) the collector is acting on the written authority of the employee, given through the Director,

the employer is liable to pay and the collector is entitled to collect from the employer an additional amount calculated in accordance with the formula

### $A = B \times C$

where

- A is the additional amount,
- B is a percentage specified by the Minister for the purposes of this section, and
- C is the amount owing to the employee.
- (2) The additional amount under subsection (1) is in addition to any other costs to which the collector is entitled by law.
- (3) A collector is entitled to receive from the Director a collection certificate that sets out
  - (a) the additional amount that may be collected under this section, and
  - (b) the person who is liable to pay the additional amount.
- (4) A collector may file a collection certificate with the clerk of the Court of Queen's Bench in the judicial district in which the judgment

is filed and the collection certificate is then enforceable as an order or judgment of the Court of Queen's Bench.

(5) Where a collector collects money owing pursuant to an order referred to in subsection (1)(a) or a collection certificate under this section, the collector is entitled to retain a fee that is a portion of the collected amount determined in accordance with the formula

$$Y = \frac{A}{C + A}$$

where

Y is the portion the collector is entitled to retain, and

A and C have the same values as they have under subsection (1).

- (6) For the purposes of the calculation under subsection (5), "collected amount" is the amount remaining after deduction of the other costs to which the collector is entitled by law that are referred to in subsection (2).
- (7) After deducting the collector's fee under subsection (5), the collector must distribute the balance as follows:
  - (a) first, to pay the money owing to the employee under the order;
  - (b) second, to pay any remainder to the Government in satisfaction of fees and other amounts owing to the Government in connection with the order.
- (8) The Director may require a collector to pay the balance referred to in subsection (7) to the Director, in which case the Director is responsible for distributing the balance in accordance with subsection (7).
- (9) No person may act as a collector under this section unless that person has entered into an agreement with the Director for that purpose.



#### PART 8

#### REPEAL, COMMENCEMENT AND EXPIRY

Repeal

- 64 The following Regulations are repealed:
  - (a) Adolescents and Young Persons Employment Regulation (Alta. Reg. 82/81);
  - (b) Construction Industry and Brush Clearing (Vacation Pay and General Holiday Pay) Regulation (Alta. Reg. 81/81);
  - (c) Exemption Regulation (Alta. Reg. 296/88);
  - (d) Fees and Costs Regulation (Alta. Reg. 309/94);
  - (e) Hours of Work and Overtime Pay (Ambulance Drivers and Attendants) Regulation (Alta. Reg. 77/81);
  - (f) Hours of Work and Overtime Pay (Field Services) Regulation (Alta. Reg. 73/81);
  - (g) Hours of Work and Overtime Pay (Highway and Railway Construction and Brush Clearing) Regulation (Alta. Reg. 79/81);
  - (h) Hours of Work and Overtime Pay (Irrigation Districts) Regulation (Alta. Reg. 75/81);
  - (i) Hours of Work and Overtime Pay (Nursery Industry) Regulation (Alta. Reg. 76/81);
  - (j) Hours of Work and Overtime Pay (Oilwell Servicing) Regulation (Alta. Reg. 74/81);
  - (k) Hours of Work and Overtime Pay (Taxi Cab Industry) Regulation (Alta. Reg. 80/81);
  - (l) Hours of Work and Overtime Pay (Trucking Industry) Regulation (Alta. Reg. 78/81);
  - (m) Minimum Wage Regulation (Alta. Reg. 145/81);
  - (n) Reciprocating Provinces Regulation (Alta. Reg. 277/83);



(o) Scheme of Employment Regulation (Alta. Reg. 101/81).

Commencement

65 This Regulation comes into force when the Employment Standards Code, SA 1996 cE-10.3, is proclaimed in force.

Expiration

66 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be re-passed in its present or an amended form following a review, this Regulation expires on December 31, 1997.

#### SCHEDULE

Column 1

Reciprocating

Jurisdiction	
1 British Columbia	Director of Employment Standards for British Columbia
2 Yukon Territory	Director of Employment Standards for the Yukon Territory
3 Saskatchewan	Director of Labour Standards for Saskatchewan
4 Northwest Territories	Labour Standards Board of the Northwest Territories
5 Manitoba	Director of Employment Standards for Manitoba
6 Nova Scotia	Director of Labour Standards for Nova Scotia
7 Ontario	Director of Employment Standards for Ontario

Column 2
Designated Authority







# Employment Standards Regulation Review Minimum Wage

A Report Prepared

For

Alberta Labour

Ву

Coopers & Lybrand Consulting

June 15, 1998



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Appendix One: Detailed Data Tables



## **Executive Summary – Minimum Wage**

## 1 Existence of the Minimum Wage

There is a very high level of support for maintaining a minimum wage.

- 93% of employers, and 99.5% of employees.
- The very small number who opposed a minimum wage felt the market place, and individual performance should drive wage levels.

## 2 Level of the Minimum Wage

A significant majority of respondents think the minimum wage is too low.

- 91.8% of employees and 74.5% of employers think the minimum is too low.
- 71.6% of respondents think the current level is not "fair" or is below a "living" or "poverty" level. The majority of respondents think the minimum wage is an "anti-poverty" policy instrument, and evaluate it accordingly.
- Respondents would like to see the minimum wage level as follows.

Level	Employers	Employees
\$6.00 or less	40.9%	26.9%
\$6.01 to \$7.00 Inclusive	41.8%	40.4%
More Than \$7.00	17.3%	32.7%

## 3 Minimum Wage Age Differential

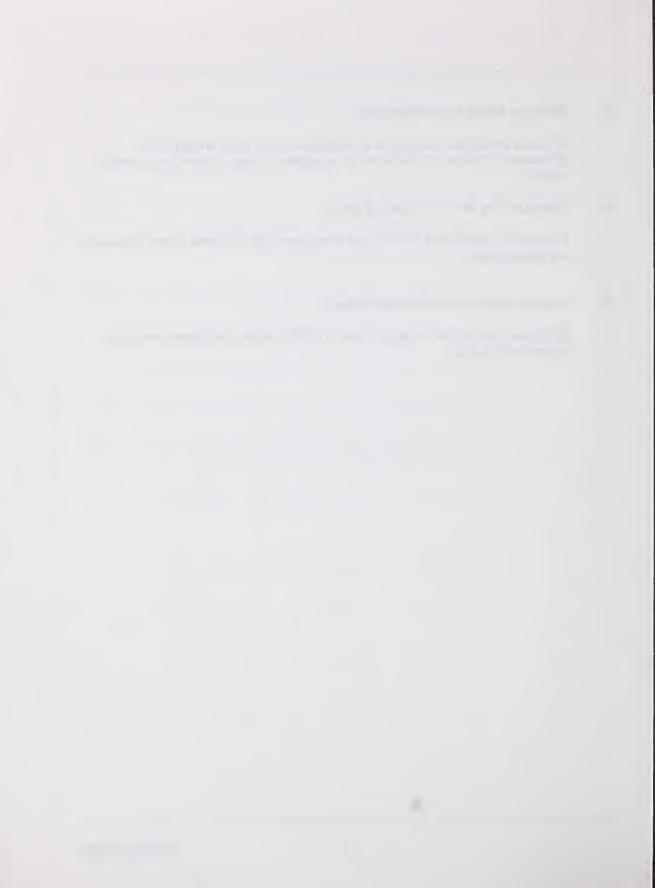
47.9% of employers, and 63.8% of employees think there should be no differential. Equal pay for equal work, regardless of age, is the most common reason.

## 4 Minimum Pay for 3 (2) Hours of Work

A majority of employers (65.5%) and employees (68.5%) think current provisions are appropriate.

## 5 Charges Against the Minimum Wage

Employers favour the current approach (76.9%), while employees were less supportive (56.2%).



#### 1 Introduction

Alberta continues to carry out a systematic review of current regulations. The intention is to eliminate regulations that are no longer useful, and amend those that remain to ensure they achieve relevant and realistic policy objectives.

Employment related regulations can become mis-aligned with the realities of the circumstances they are intended to affect. The structure and scope of an industry can change, as can the needs of the market employers must serve, and the underlying technologies and business processes they use to do so. As a consequence, terms and conditions of employment, and the very content of work, will change over time.

In order to ensure ongoing alignment, government must periodically assess the impact of regulations. A critical part of that process is collecting first hand information from those who are directly affected by regulation, in this case employers, employees, and their representatives.

In this report we have documented the results of a broadly based structured consultation process designed to gather systematic feedback from those most directly affected by application of employment standards related to the minimum wage. This information, along with information being collected using other approaches, such as focus groups, will be used to decide whether, or how, to adjust minimum wage related standards.

A separate report has been prepared to address exemptions from core standards, and industry-specific standards.

The data gathered are presented in a two-layered approach. Summary information and examples of verbatim respondent comments are provided in the narrative of this report. Detailed data tables are provided in Appendix One.

Our role did not include making observations or recommendations regarding the policy or regulatory implications of our findings.



## 2 Methodology

The information contained in this report was generated through the joint, sequential efforts of Coopers & Lybrand Consulting (C&LC) and Alberta Labour.

- (1) Alberta Labour set the overall scope and focus of the effort, identified the issues to be addressed, and developed the overall structure and specific questions to used in the questionnaire.
- (2) C&LC reviewed the questionnaire and provided technical observations on the structure of the questionnaire, and methods of distribution and analysis.
- (3) Alberta Labour managed the distribution and collection of the questionnaire, including use of a Web site and follow-up activities to encourage responses.
- (4) Upon receipt of responses C&LC developed the analytical framework for both closed and open-ended questions, input and categorized the data, and provided the summary results contained in the appendices to this report. We then developed this report.

It is important to remember several aspects of this consultation process.

- This is not, and was never intended to be, a "survey" in the strict sense
  understood by statisticians. The approach to selecting samples, for example,
  was not always consistent with survey methodology. The low response rates
  in some areas, and the tendency of respondents to only address those parts
  of the questionnaire of interest to them, also limit statistical significance.
- Distribution and analysis of this questionnaire was part of a multi-faceted and structured consultation process, designed to give participants the chance to make their views know in a number of ways, including focus groups, interviews, and written responses in questionnaire and other forms.



## 3 Existence of a Minimum Wage

## 3.1 Should Alberta have a minimum wage?

4	Employer/ Representing Employers	Employees/ Representing Employees	Not Specified Other	Total	Number of Respondents
Yes	93%	99.5%	98.2%	96.8%	459
No	7%	0.5%	1.8%	3.2%	15
Total	100%	100%	100%	100%	
Number of Respondents	171	194	109		474

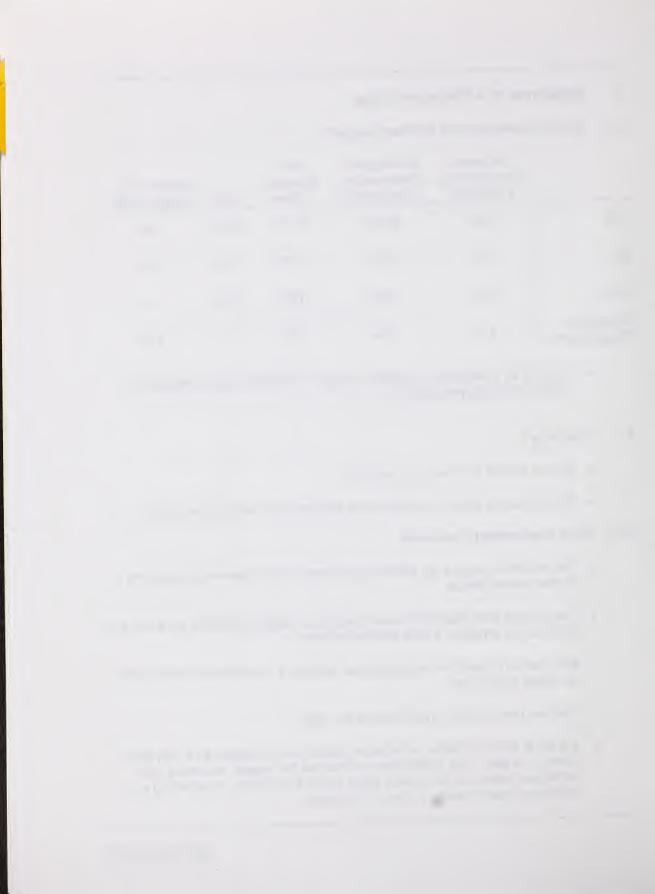
 Support for maintaining a minimum wage is consistent across employers (93%) and employees (99.5%).

## 3.2 If no, why?

- Let the market drive wage rates (45%).
- Pay should be linked to qualifications and amount of work done (36%).

## 3.2.1 Some Respondent Comments

- The minimum wage is an artificial interference into a free market economylet the market decide.
- The amount paid should be determined by the ability to perform work and the ability of the employer to pay for what is done.
- Each person should be responsible for deciding if remuneration is adequate for duties being done.
- I believe the economy should dictate the wage.
- It is felt in today's market, a minimum wage is not as relative as it may have been in the past. The marketplace will dictate fair wages, and those who would pay below that fair market wage would find difficulty in attracting any workers to their industry, or place of business.



- · Costs or wages called minimum result in minimum effort.
- Historically minimum wage laws have hurt the very people they are enacted to help. The unemployment rate in the U.S. has dropped dramatically over the past few years yet after they raised their federal minimum wage the unemployment rate for new job entrants and unskilled workers went up. These are the people the raise in the minimum wage was supposed to help. The minimum wage increase helped them right out of a job. High minimum wages hurt young new job entrants. To prove this all one has to do is compare youth unemployment rates in high minimum rate jurisdictions such as B.C. with Alberta. We do a disservice to unskilled workers when we price their services out of the market. The key to unskilled workers becoming more skilled is for the unskilled workers to work consistently and acquire job skills. Over time his wage will increase as his value increases. If it does not he can take his new found skills to another company who will pay him more.
- The market provides sufficient regulation. All minimum wage regulations cost jobs.
- I think that the average wage should be based on the amount of experience a person has.
- Minimum wage is not an issue in the construction industry and we have no opinion.



## 4 Level of the Minimum Wage

## 4.1 If Alberta should have a minimum wage, is the current minimum wage appropriate?

	Employer/ Representing Employers	Employees/ Representing Employees	Not Specified Other	Total	Number of Respondents
Yes	25.5%	8.2%	13.9%	15.6%	73
No	74.5%	91.8%	86.1%	84.4%	396
Total	100%	100%	100%	100%	
Number of Respondents	165	196	108	•	469

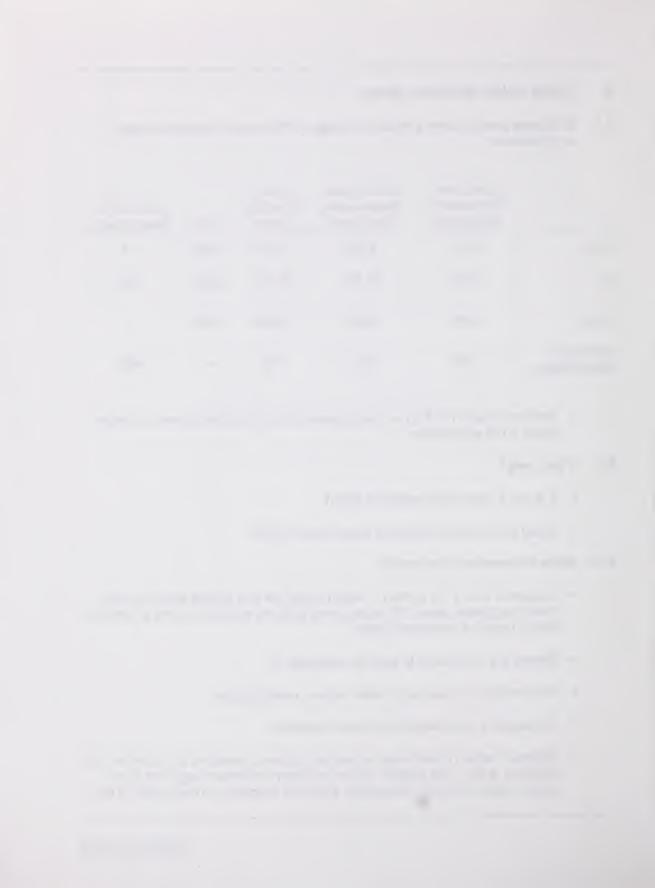
 Both employers (74.5%) and employees (91.8%) think the current minimum wage is not appropriate.

## 4.2 If yes, why?

- It is fair, a reasonable guideline (48%).
- Could be increased subject to clear criterion (22%).

## 4.2.1 Some Respondent Comments

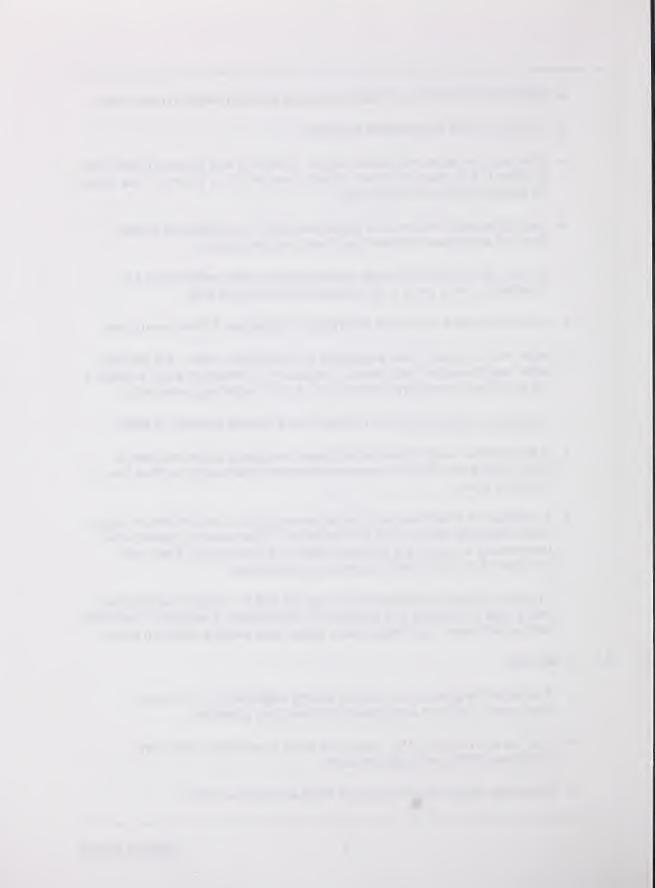
- It appears fair if the person is "worth more" the free market economy will
  provide a greater wage. By paying more than the worth it's a form of "welfare"
  forced upon the employer directly.
- · Seems like a fair wage to start an employee at.
- Most employers must pay market wages usually higher.
- If changed it could jeopardize certain industries.
- Minimum wage in most cases is used as a guide of what not to go below, and therefore is fair. The majority of jobs pay above minimum wage and if you were to raise it wouldn't necessarily affect the majority of current rates of pay.



- Establishes a base floor. Market place will establish wages in most cases.
- It is low enough to get people employed.
- Basically the market will dictate wages. However a very minimum should be legislated. It is cheaper to live in Alberta than in B.C. or Ontario. This should be reflected in the minimum wage.
- Any higher and it will create a bigger underground employment market. Primarily addresses minimum youth and unskilled labour.
- So long as the minimum wage exceeds basic welfare entitlements it is appropriate, since there is no structural disincentive to work.
- Some employers might take advantage of employees if there wasn't one.
- Most employers start their employees at the minimum wage. But will soon
  after raise the wage if employee is satisfactory. If minimum wage is raised it
  will be difficult for students to find a job. Look at what happened in B.C.
- Fair balance between cost of business and individual standard of living.
- A set minimum wage allows an employer the chance to hire and train a
  person and then adjust the wage commitment to that person as their level of
  expertise grows.
- It is difficult to determine the appropriateness of the current minimum wage.
   Many economic factors must be considered. What would be beneficial is a commitment to review the minimum wage on a more regular basis with consistent formula or set of factors being considered.
- The risk of having a high minimum wage, as in B.C., is high unemployment and a flight of business and investment. Alternatively, a reduction in employer paid payroll taxes could help offset a higher than average minimum wage.

## 4.3 If no, why?

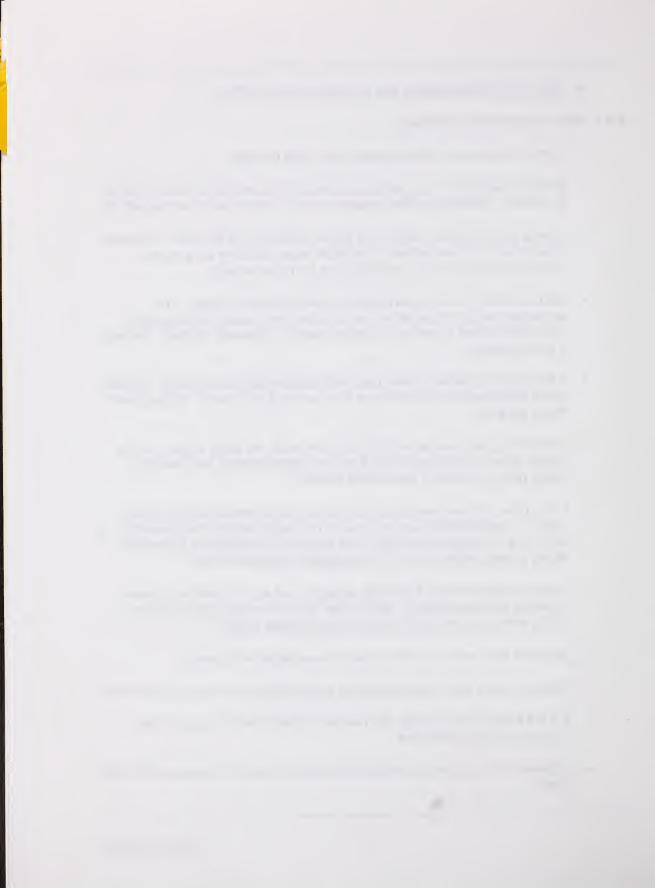
- It is below the poverty line, and not a living wage (40%). The views of employers (39%) and employees (44%) are fairly consistent.
- Too low and not fair (31%). Again, the views of employers (34%) and employees (30%) are quite consistent.
- Should be subject to annual cost of living adjustments (16%).



• Should be at least equal to that of other provinces (17%).

## 4.3.1 Some Respondent Comments

- · Current rate does not reflect present day costs of living.
- Minimum wage should encourage people to find work and be better off than on welfare. Reducing welfare creates poverty. Higher wages will benefit all.
- Having a low minimum wage hurts people who rely on it the most. Students, in particular, find themselves on minimum wage jobs over the summer.
   Education costs are rising and \$5.00 just won't pay enough.
- Cost of working is not proportionate to existing minimum wage. The
  escalated cost of transportation, work clothing and meals excluding other
  deductions leaves a person in a deficit position. University students are left in
  a deficit position.
- It should be increased to keep pace with inflation and review yearly. Smaller jumps yearly would be much better than leaving it very low for 10 years and then a big jump.
- Considering most people working minimum wage are either single parents (mostly women), entering the job force or under educated, the need for a higher minimum wage is desperately needed.
- Far too low. Government policy has reduced for the most part individuals
  using U.I./welfare/social services that do not readily require these services. If
  forced out of programs into work force wage level should be at a level that
  allows a basic maintenance of an acceptable standard of living.
- Current minimum wage is not high enough to act as an incentive to those collecting social assistance. Most of the minimum wage paying jobs are during evening hours which should demand higher wages.
- Should at least work out to the poverty line established federally.
- Because I don't think that is enough to support the person earning the money.
- It is the lowest in the country and people in Alberta need to support their families just like anyone else.
- Because that is not enough money for people to support themselves and their family.



- It is inappropriate, because it is better to get jobs in other provinces, so our workers are poorer then the workers in other provinces.
- It hasn't changed since 1992 and only then by a slight amount. It's the lowest in Canada, even though Alberta is far from the least expensive province to live in. Higher minimum wages will not cause unemployment. Those who say so should be asked to make a valid case.
- The current minimum wage does not allow one to buy the basic necessities of life. Many who earn it are forced to turn to food banks to meet their needs.
   No-one who works for a living should have to use a food bank. If social services is topping up their wages, then in effect we the taxpayers are subsidizing businesses unwilling to pay fair wages.



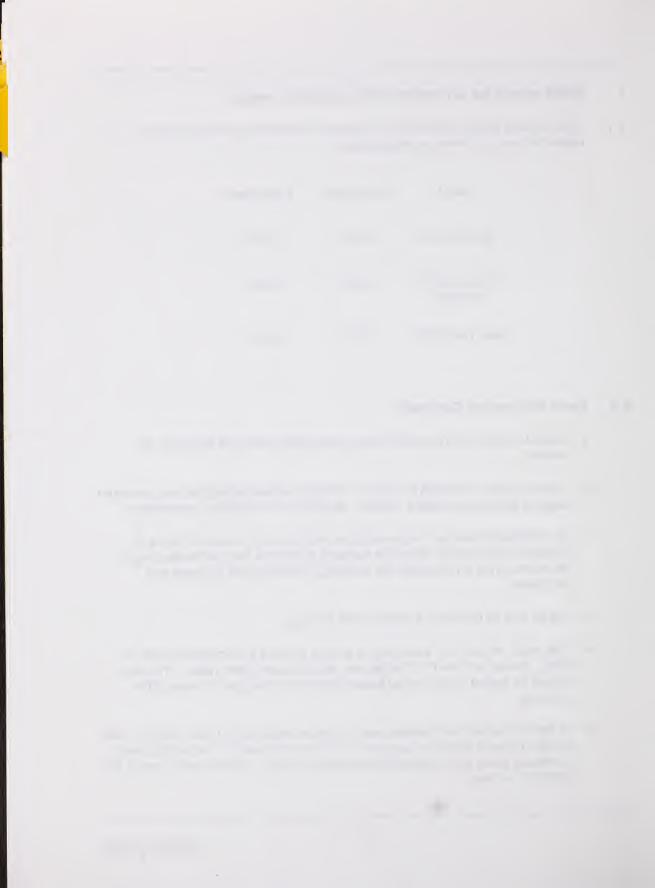
## 5 What would be an appropriate minimum wage?

5.1 The following table summarizes the views of employers and employees in respect of various minimum wage levels.

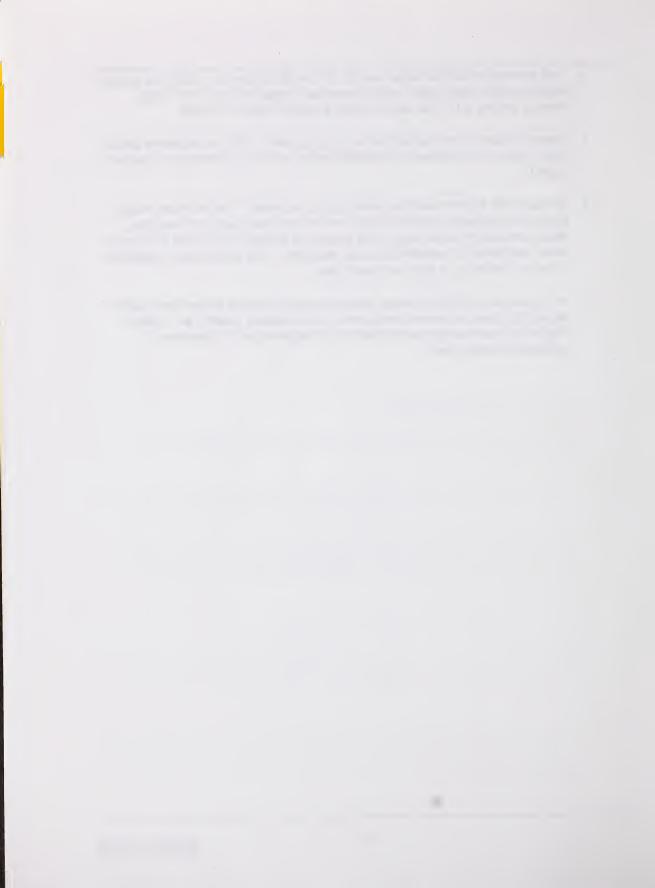
Level	Employers	Employees
\$6.00 or less	40.9%	26.9%
\$6.01 to \$7.00 Inclusive	41.8%	40.4%
More Than \$7.00	17.3%	32.7%

## 5.2 Some Respondent Comments

- Equal to other provinces with same prices in the CPU and equal for all workers.
- Heaven knows enough to live on. Perhaps welfare subsidized say minimum wage of \$6.00 plus welfare subsidy, depending on individual assessment.
- An affordable minimum wage would be indexed with the cost of living. A
  minimum wage should allow the recipient to afford a living whereby they do
  not have to rely on a subsidy for anything, including food, housing and
  education.
- Set so that all can have a decent level of living.
- The wage should vary according to area to account for increased costs of living. Areas such as Fort MacMurray should have higher rates. The rate should be based on the actual basic living cost in the specific area of the province.
- In light of the fact that Ontario has a minimum wage of \$7.00/hr, and B.C. will (in April) have a minimum wage of \$7.15/hr and allowing for Alberta's lack of provincial sales tax an appropriate minimum wage in Alberta would be \$6.55 to \$6.60 per hour.



- The average industrial wage, less \$2.00 ( or \$9.23) per hr. (call it the average service sector wage) Min. wage should be pegged to the cost of living, thereby getting rid of this never ending process every 4-5 years.
- Seven dollars an hour would be more appropriate. This may increase prices, but it gives the employee an adequate salary and the opportunity to choose to spend it.
- At least 20% higher than the current minimum wage. The minimum wage should be increased incrementally over the next few years to a level that would provide for basic needs, and should be indexed to the cost of living or other standards to maintain this basic standard. This would allow employers to include indexing in their business plans.
- An appropriate minimum wage would be equal to others across the country, especially those provinces which are as economically healthy as Alberta.
   Higher minimum wages contribute to a stronger economy because of increased buying power.



## 6 Differential for Those Under Eighteen

6.1 Currently students under 18 have a minimum wage that is \$.50 lower than the general minimum wage. Should there be a differential?

	Employer/ Representing Employers	Employees/ Representing Employees	Not Specified Other	Total	Number of Respondents
Yes	52.1%	36.2%	40.0%	42.9%	196
No	47.9%	63.8%	60.0%	57.1%	261
Total	100%	100%	100%	100%	
Number of Respondents	167	185	105	***	457

 While the overall majority suggests there should be no differential, there are significant differences between employers and employees on this issue. The majority of employees (63.8%) think there should be no differential, while the majority of employers (52.1%) think there should be.

### 6.2 If yes, why?

- These workers have other means of support (28%).
- Must encourage employers to hire these workers (21%).
- These people have much less experience (18%).
- This is a training situation with additional supervision costs (18%).

### 6.2.1 Some Respondent Comments

- Young people living at home who choose to work, and those who work as a
  result of poor choices, do not necessarily have the same need of a higher
  minimum wage that adults supporting themselves and sometimes others do.
- Generally students are not fully trained and require substantially more supervision. They are generally as productive and increase business to the employer.



- Students often have less experience than others and do not need their wages in the same way full time workers do.
- Students under age 18 are generally living with their parents and have lower living costs than adults supporting themselves and/or children.
- When you consider the person working minimum wage to support a family and a student supporting one self, it leaves a great void due to the fact the minimum wage earner has (usually) a great deal more experience.
- Students under 18 are still gaining experience and learning. As they improve, an increase in wages would be a reward and an incentive.
- It may be difficult in some jobs which employ a lot of students to pay more and I think the possible drop in students employed wouldn't be good.
   Probably most of these students are still living at home so they are not having to pay regular living expenses.
- For many cases you are employing people without any experience and supervising them is almost full time. Students are usually still living at home and the wage is not meant to be a living wage but a learning experience wage.
- To encourage employers to hire young people, the vast majority of whom live at home with their parents. These kids don't need to support themselves (rent, utilities, property taxes,, automobiles, childcare, etc.) They simply need a job-and thus be exposed to the responsibilities, duties and obligations that go along with it; this is their final progression into adulthood/citizenship.
- Encourage them to stay in school.
- Provision for a modest rate differential might be justified as students are basically entering the labour market. However, such a reduction should only apply to the first 3 months employment with a particular employer.

### 6.3 What, if any, Changes Would You Suggest?

- Wages should be uniform (50.5%).
- Wages should depend on several factors including performance, cost of living and dependents (17.8%).



#### 6.3.1 Some Respondent Comments

- That minimum wage for students under 18 remain lower, while minimum wage for adults be raised to a realistic level based on the cost of living perhaps.
- All people employed from ages 13 and up should receive the same minimum wage.
- I would suggest equal pay.
- Persons under 18 who are working in a full-time position should be afforded a higher minimum wage as opposed to a casual or student employee.
- The minimum wage in Alberta should be the same rate regardless of age!
- Individuals should be paid for the work done. Equal pay for equal work. If a regular labourer is getting \$9.00 per hour and a student is asked to do an identical job, they should be paid the same hourly rate. I imagine an argument for special student hourly rate is that it allows employers to hire extra student help because it's affordable plus it also gives students a chance to get work experience if employers can afford to hire them. I believe there should always be provinces and federal grants available to hire students.

### 6.4 If no, why?

- Should be equal pay for equal work (74%). Employer (80%) and employee (78%) views are consistent.
- Many young people are supporting themselves (13%).

### 6.4.1 Some Respondent Comments

- If they can do the job they should be paid for it. I can understand a one
  month probationary period of 50 cents an hour less but after probation is over,
  to be paid the same as an adult.
- If a student is providing the same quality of work a non-student produces but receiving less money, he/she is being discriminated against.
- If the job and the duties are the same, the rate of pay should be the same.
   We believe it is the responsibility of the employer to determine specifically which jobs are not suitable for an employee who is under the age of 18 years as a result of a concern for maturity, experience, strength and/or size. We recognize that the differential in pay may have been initiated as an incentive



to hire individuals who were under 18 years of age, but it does not support an equitable environment.

- The ability to perform the required work, not age, is what matters. This could result in over hiring of younger students and letting go of 18 year olds after birthdays. Change so that all receive minimum wage to perform work.
- No. Students under 18 should be paid the same as the general minimum wage. They are doing the same work as those 18 and over, and should be paid the same rate; equal pay for equal work standard should be set to avoid exploiting those under 18. Further, this would remove employment discrimination against adults in favour of lower wages, while at the same time, reducing the exploitation of the student worker. If it to be used as true work experience or training, there should be a strict limitation put on the maximum number of hours that could be used.



### 7 Minimum Wage for Three (or 2) Hours

# 7.1 Are the provisions for minimum pay of 3 (or 2) hours at the minimum wage appropriate?

	Employer/ Representing Employers	Employees/ Representing Employees	Not Specified Other	Total	Number of Respondents
Yes	65.5%	68.5%	69.0%	67.5%	308
No	34.5%	31.5%	31.0%	32.5%	148
Total	100%	100%	100%	100%	
Number of Respondents	165	178	113		456

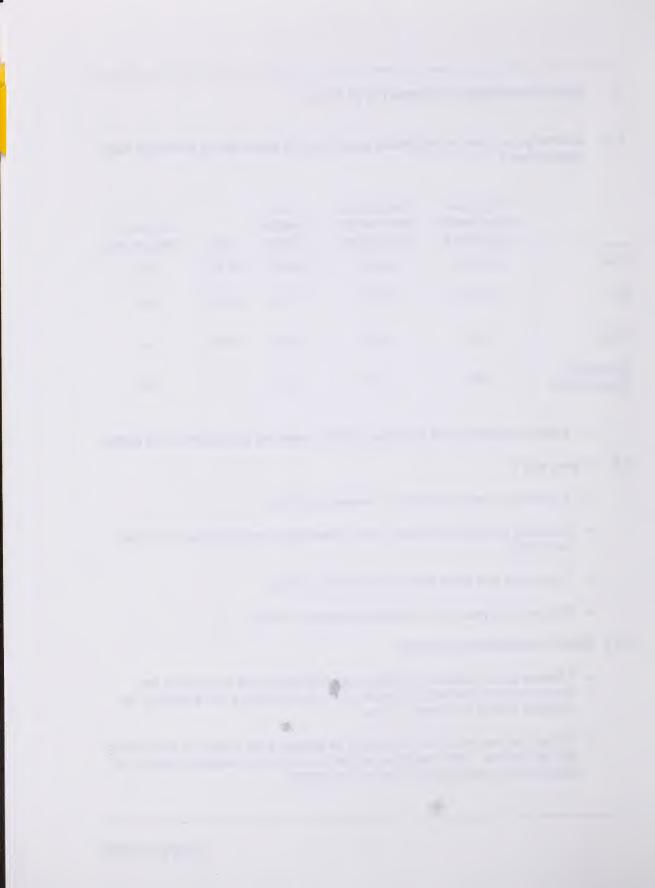
• Employer (65.5%) and employee (68.5%) views are consistent on this matter.

### 7.2 If yes, why?

- A minimum amount of money is reasonable (30%).
- Employer should be required to pay something when employees are called out (23%).
- Travel time and costs are worth something (18%).
- Ensure employees are not taken advantage of (16%).

### 7.2.1 Some Respondent Comments

- I believe this is sufficient to reimburse a person for what amounts to the inconvenience of reporting to work only to find out they are not going to be required to work any length of time.
- Some jobs may require employees to be present even if they are not working the whole time. They should be entitled to at least this minimum pay so that they are not wasting their whole day for nothing.



• It is not practical for someone to go to work and be sent home without pay as they have incurred a cost to get to work. It is not uncommon for employees to drive in excess of 1 hour to work. This requires employers to be organized.

#### 7.3 If no why?

- Should be three hours at regular pay (21%).
- Not high enough to cover travel costs (19%).
- Should be exemptions driven by things like weather and school (19%).
- Should be four hours (17%).
- Should be the same for students and adults (14%).

#### 7.3.1 Some Respondent Comments

- Because most people working part time jobs have two or three jobs and it's too hard to get transportation and arrange job schedules for less than 4 hours. It doesn't pay to go out of the house for \$15.00.
- At 2 hours (\$10.00 minimum pay) or 3 hours (\$15 minimum pay), public transport costs the individual \$3.20 after deductions, how much actually goes to the employee?
- We'd like to add an hours of work exemption for post secondary students who
  work part time at the institution they attend, e.g. students often have a few
  hours between class and would like to be able to work in the library or
  cafeteria or elsewhere during that short period.
- For young persons, employers are restricted to allowing them to work only
  two hours on school days. It doesn't make sense then to expect the employer
  to pay them for longer. However, for groups such as bus drivers, the two hour
  minimum is not appropriate. Consider the need to be available at odd hours,
  getting ready, etc. and compare the three hours at minimum wage (\$15.00 in
  total).
- Would you go to work for \$10.00 in the morning and then \$10.00 in the
  afternoon if bus fare each way is \$1.65? \$6.60 bus fare and \$5.00 for lunch,
  the net is pretty pathetic, is it not? The expense of getting out of bed does not
  merit going to work. If showing up to work does not merit \$25.00, it is not
  worth going to work.



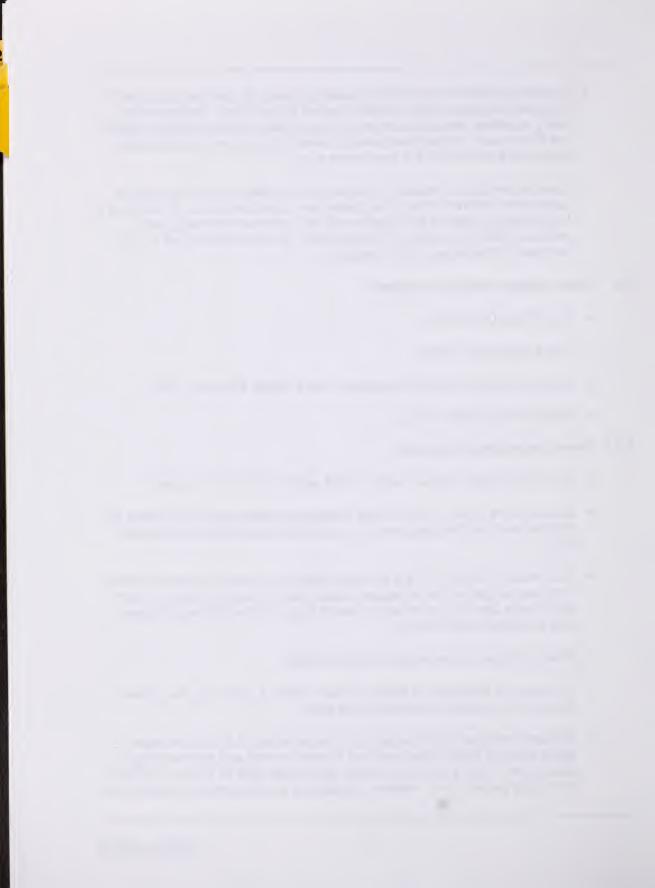
- In many situations employees are called in to work for minimum hours and if
  they can't employers frown on them and will not ask them. Employees in
  many situations have to pay more for transportation and baby sitting costs for
  the three hours. It costs them more to cover child care and transportation
  than what they make in the three hours salary.
- Creates hardship on regularly scheduled short duration operations such as supervising children in the school classroom during lunch hour. Enforcing a 3 hour minimum wage in this situation will drive costs up drastically, and adversely effect the quality of the programs. As one supervisor put it, " I'm not here for the money, but for the kids."

#### 7.4 What changes would you suggest?

- Four Hours Only (23%).
- Three Hours Only (19%).
- Eliminate and use Specific Exemptions and a Higher Minimum (17%).
- Monitor More Closely (15%).

#### 7.4.1 Some Respondent Comments

- Four hours at the minimum wage should apply to all part time workers.
- Monitor more closely. I know many employees whose bosses just "move it to another day" and they get three 1/2 hour shifts that are all put to the same day.
- Four hours minimum. If it's a scheduled shift they should be paid four hours.
   I know an employer that scheduled double staff in case it got busy and sent them home after they got there if it wasn't busy. Meanwhile the employee was counting on those hours.
- More definition of time breaks between periods.
- If a person is scheduled to work an 8 hour shift on a given day, they should be paid for it, despite being sent home early.
- At least employee should be paid for 4 hours instead of 3 hours because some time the worker takes one hour to come to work and one hour to go back home. Thus 2 hours are wasted and he gets paid for 3 hours. At least he should get pay for 4. However, regulations should prohibit employers from



using split shifts in order to circumvent break requirements and other provisions of the code.

 We recommend permitting hospitality staff the same two hour pay exceptions as students under 18, and school bus drivers, etc.



## 8 Charges Against the Minimum Wage

8.1 Are the provisions relating to charges for room and board, and deductions for uniforms, etc., appropriate?

	Employer/ Representing Employers	Employees/ Representing Employees	Not Specified Other	Total	Number of Respondents
Yes	76.9%	56.2%	69.8%	66.5%	250
No	23.1%	43.8%	30.2%	33.5%	126
Total	100%	100%	100%	100%	
Number of Respondents	130	160	86		376

• Employers strongly favored current provisions (76.9%) while employees were less supportive (56.2%).

### 8.2 If yes, why?

- This is a fair arrangement (54%).
- Protects the employee (29%).

### 8.2.1 Some Respondent Comments

 Adequately protects the employee and yet allows the employer to re-coup costs at a reasonable rate.

### 8.3 If no, why?

- Employer sets the needs, therefore employer should pay (42%).
- Should not result in anything lower than the minimum wage (16%).
- Should be no deduction for room and board (15%).
- Value of these items is not clear, so what should the charge be (14%).



#### 8.3.1 Some Respondent Comments

- An employer is aware of special needs, and should not be allowed to pay anything less than minimum wage with no deductions whatsoever from that minimum wage.
- Workers at minimum wage have enough trouble providing the basics needed to survive. If the "uniform" they are required to wear is so distinctive to the employer that it can only be work at the work site then the "uniforms" should be provided or at least a clothing allowance given.
- There are no minimum standards for food or lodging specified. The employer decides when and why they need new apparel.
- The changes should reflect the change to the minimum wage and appropriate increases or reviews.
- If an employer requires an employee to be away from "close" to home, the
  employer should be required to provide "reasonable' lodging and "sufficient"
  meal money to the employee.
- Uniforms should be the responsibility of the employer. Could take a deposit refundable after certain # of hours work.
- When an employee is required to wear a uniform, that is a condition of work
  and employment set by the employer. As a result, it is really the responsibility
  of the employer. As a result, just as it is the responsibility of the employer to
  provide these things, basic tools of work. Employees should bear no cost for
  uniforms and uniforms up keep.
- The current regulation allow an employer to deduct up to \$7.15 per day. (17.8% of a day's wages) Since such lodging is often an additional housing expense for an employee over and above the cost of her or his principal home, this rate should not be increased when the minimum wage is increased. I am also concerned that there should be standards. Accommodation regulation should set standards on hygiene, toilet facilities, cleanliness, maintenance, recreational facilities, and privacy while food service (board) standards should be based on nutrition and diet needs as well as cleanliness and quality.
- Employees should be entitled to choice in their meals and lodgings. When
  work is done in areas too remote for choice to be practical, the meals and
  lodgings should be provided at no cost to the employees in recognition of the
  lack of choices. Clearly, domestic workers should have choice for their food
  and lodging. Often food and lodging provided to domestic workers is a way of



keeping them on call continuously. The very least compensation they should receive for this is that food and lodging be provided at no charge.

#### 8.4 What changes would you suggest?

- Should be regarded as a cost of doing business for the employer (40%).
- System is fair, leave it the way it is (14%).
- The allowance should be raised (12%).
- No deductions below the minimum wage (11%).

#### 8.4.1 Some Respondent Comments

- Employer pay for all costs to do business.
- If there is less than 8 hours of work paid to a worker on minimum wage there should be no charge of meals or lodging for that day.
- Employers requiring uniforms should assume the cost of providing the uniforms or special articles of clothing.
- If anybody working for any company regardless of their product has to live on company property and also work with a uniform then the employee should have free room and board and free laundry for their uniforms.
- Removal of deduction for uniforms. If a uniform is required by the employer
  for employment it is employers responsibility to provide it, period. Care and
  upkeep of uniforms to acceptance standards would be employer responsibility
   and covered under employment contract.
- Uniforms should be a shared cost between employer and employee.



# **Appendix One**

Detailed Data Tables



Question 4		Question 4			Perspective when completed questionnaire		
			Employers/ Rep. Employers	Employees/ Rep. Employees	Not specified		
Should	No	N	12	1	2	15	
Alerta have a minimum		Column %	7.0%	.5%	1.8%	3.2%	
mmmum wage?		Row %	80.0%	6.7%	13.3%	100.0%	
Ū	Yes	N	159	193	107	459	
		Column %	93.0%	99.5%	98.2%	96.8%	
		Row %	34.6%	42.0%	23.3%	100.0%	
Total Number of Cases %		N=171	N=194	N=109	N=474		
	%		36.1%	40.9%	23.0%	100.0%	
If No,	Let the market decide what it can afford	N	5			5	
why?		Column %	71.4%			45.5%	
		Row %	100.0%			100.0%	
	Amount paid should be	N	1	1	2	4	
	determined by work done/qualifications	Column %	14.3%	50.0%	100.0%	36.4%	
		Row %	25.0%	25.0%	50.0%	100.0%	
	Other	N	2	1		3	
		Column %	28.6%	50.0%		27.3%	
	1	Row %	66.7%	33.3%		100.0%	
Total	Number of Cases		N=7	N=2	N=2	N=11	
	%		63.6%	18.2%	18.2%	100.0%	

Question 5	Question 5		Perspective v	Perspective when completed questionnaire		
			Employers/ Rep. Employers	Employees/ Rep. Employees	Not specified	
Is the current	No	N	123	180	93	396
minimum wage appropriate?		Column %	74.5%	91.8%	86.1%	84.4%
		Row %	31.1%	45.5%	23.5%	100.0%
	Yes	N	42	16	15	73
		Column %	25.5%	8.2%	13.9%	15.6%
		Row %	57.5%	21.9%	20.5%	100.0%
Total	Number of Cases		N=165	N=196	N=108	N=469
	%		35.2%	41.8%	23.0%	100.0%



Question 5			Perspective v	when completed q	uestionnaire	Total
			Employers/ Rep. Employers	Employees/ Rep. Employees	Not specified	
f Yes, why?	Fair	N	16	11	4	31
	wages/reasonable/guide line	Column %	55.2%	57.9%	25.0%	48.4%
		Row %	51.6%	35.5%	12.9%	100.0%
	Should not be set any	N	3	3	2	8
	higher	Column %	10.3%	15.8%	12.5%	12.5%
		Row %	37.5%	37.5%	25.0%	100.0%
	Minimum wage is too	N		1	3	4
	low	Column %		5.3%	18.8%	6.3%
		Row %	<u> </u>	25.0%	75.0%	100.0%
	Should be higher with	N	6	2	6	14
	certain criterias	Column %	20.7%	10.5%	37.5%	21.9%
		Row %	42.9%	14.3%	42.9%	100.0%
	Prevents employers	N	1	2	2	5
	from being taken advantage of	Column %	3.4%	10.5%	12.5%	7.8%
		Row %	20.0%	40.0%	40.0%	100.0%
	Other	N	5	1	1	7
		Column %	17.2%	5.3%	6.3%	10.9%
		Row %	71.4%	14.3%	14.3%	100.0%
Total	Number of Cases	· · · · · · · · · · · · · · · · · · ·	N=29	N=19	N=16	N=64
	%	• • • • • • • • • • • • • • • • • • • •	45.3%	29.7%	25.0%	100.0%
	Number of Cases		N=29	N=19	N=16	N=64
	%		45.3%	29.7%	25.0%	100.0%
If No, why?	Too low/not fair	N	34	45	24	103
		Column %	33.7%	30.4%	29.3%	31.1%
		Row %	33.0%	43.7%	23.3%	100.0%
	Below poverty line/not a	N	39	65	30	134
	living wage	Column %	38.6%	43.9%	36.6%	40.5%
		Row %	29.1%	48.5%	22.4%	100.0%
	Students/need money for school/under or over	N	7	14	2	23
	18	Column %	6.9%	9.5%	2.4%	6.9%
		Row %	30.4%	60.9%	8.7%	100.0%
	Annual cost of living	N	19	23	12	54
	increases/annual evaluation of M W	Column %	18.8%	15.5%	14.6%	16.3%
		Row %	35.2%	42.6%	22.2%	100.0%



Question 5			Perspective v	when completed q		Total
			Employers/ Rep. Employers	Employees/ Rep. Employees	Not specified	
f No, why?	Social problems	N	3	8	6	17
		Column %	3.0%	5.4%	7.3%	5.1%
		Row %	17.6%	47.1%	35.3%	100.0%
	Employers not paying	N	6	4	4	14
	decent wage	Column %	5.9%	2.7%	4.9%	4.2%
		Row %	42.9%	28.6%	28.6%	100.0%
	Lowest among	N	17	25	14	56
	provinces/should be equal	Column %	16.8%	16.9%	17.1%	16.9%
		Row %	30.4%	44.6%	25.0%	100.0%
	Better off on social	N	5	7	8	20
	assistance	Column %	5.0%	4.7%	9.8%	6.0%
		Row %	25.0%	35.0%	40.0%	100.0%
	Too many working poor	N	6	7	6	19
		Column %	5.9%	4.7%	7.3%	5.7%
		Row %	31.6%	36.8%	31.6%	100.0%
	Other	N	1	1	2	4
		Column %	1.0%	.7%	2.4%	1.2%
		Row %	25.0%	25.0%	50.0%	100.0%
Total	Number of Cases		N=101	N=148	N=82	N=331
	%		30.5%	44.7%	24.8%	100.0%
Appropriate Minimum	\$6.00 or less	N	45	42	25	112
Wage		Column %	40.9%	26.9%	30.1%	32.1%
		Row %	40.2%	37.5%	22.3%	100.0%
	Between \$6.00 and \$7.00	N	46	63	34	143
		Column %	41.8%	40.4%	41.0%	41.0%
		Row %	32.2%	44.1%	23.8%	100.0%
	More than \$7.00	N	19	51	24	94
		Column %	17.3%	32.7%	28.9%	26.9%
		Row %	20.2%	54.3%	25.5%	100.0%
Total	N		186	203	155	544
	Mean		6.62	6.90	6.84	6.80



Question 6	on 6 Perspective when completed questionnaire				Total	
			Employers/ Rep. Employers	Employees/ Rep. Employees	Not specified	
Should	No	N	80	118	63	261
there be a differential of \$.50?		Column %	47.9%	63.8%	60.0%	57.1%
01 3.50 :		Row %	30.7%	45.2%	24.1%	100.0%
	Yes	N	87	67	42	196
		Column %	52.1%	36.2%	40.0%	42.9%
		Row %	44.4%	34.2%	21.4%	100.0%
Total	Number of Cases		N=167	N=185	N=105	N=457
	%		36.5%	40.5%	23.0%	100.0%
If Yes,	Other means of support	N	19	12	11	42
why?		Column %	27.5%	27.3%	31.4%	28.4%
		Row %	45.2%	28.6%	26.2%	100.0%
	Part time/low	N	9	3	3	15
	skills/entry level position	Column %	13.0%	6.8%	8.6%	10.1%
		Row %	60.0%	20.0%	20.0%	100.0%
	Incentives to stay in school or for those in school	N	9	5	5	19
		Column %	13.0%	11.4%	14.3%	12.8%
		Row %	47.4%	26.3%	26.3%	100.0%
	Training situation/additional supervision	N	18	3	5	26
		Column %	26.1%	6.8%	14.3%	17.6%
		Row %	69.2%	11.5%	19.2%	100.0%
	Other limits	N	4	4	1	9
		Column %	5.8%	9.1%	2.9%	6.1%
		Row %	44.4%	44.4%	11.1%	100.0%
	Encourage employer to	N	9	11	11	31
	hire	Column %	13.0%	25.0%	31.4%	20.9%
		Row %	29.0%	35.5%	35.5%	100.0%
	Less experience	N	15	10	2	27
		Column %	21.7%	22.7%	5.7%	18.2%
		Row %	55.6%	37.0%	7.4%	100.0%
	Lack of maturity/have	N	1	1	3	5
	not attained adult age	Column %	1.4%	2.3%	8.6%	3.4%
		Row %	20.0%	20.0%	60.0%	100.0%
	Have fewer responsibilities	N	3	2	1	6
	responsibilities	Column %	4.3%	4.5%	2.9%	4.1%
		Row %	50.0%	33.3%	16.7%	100.0%



Question 6				when completed q		Total
			Employers/ Rep. Employers	Employees/ Rep. Employees	Not specified	
If Yes,	Other	N	5	5	1	11
why?		Column %	7.2%	11.4%	2.9%	7.4%
		Row %	45.5%	45.5%	9.1%	100.0%
Total	Number of Cases		N=69	N=44	N=35	N=148
	%		46.6%	29.7%	23.6%	100.0%
What	Raise M W for adults,	N	2	1		3
changes would you suggest	increase difference between the two	Column %	6.3%	2.1%		2.8%
suggest		Row %	. 66.7%	33.3%		100.0%
	Uniformity/same	N	15	22	17	54
	minimum wage	Column %	46.9%	45.8%	63.0%	50.5%
		Row %	27.8%	40.7%	31.5%	100.0%
	Raise it	N	5	5		10
		Column %	15.6%	10.4%		9.3%
		Row %	50.0%	50.0%		100.0%
	Decrease gap	N		1	1	2
		Column %		2.1%	3.7%	1.9%
		Row %		50.0%	50.0%	100.0%
	Raise both minimum wages, but keep \$0.50 differential	N	2	7		9
		Column %	6.3%	14.6%		8.4%
		Row %	22.2%	77.8%		100.0%
	Depend: age, perform, # of dependents, or cost of living	N	3	9	7	19
		Column %	9.4%	18.8%	25.9%	17.8%
		Row %	15.8%	47.4%	36.8%	100.0%
	Raise both M. W., but increase difference	N	2	3		5
	between the two	Column %	6.3%	6.3%		4.7%
		Row %	40.0%	60.0%		100.0%
	Decrease student minimum wage/no	N		1	1	2
	minimum wage for students	Column %		2.1%	3.7%	1.9%
		Row %		50.0%	50.0%	100.0%
	Change adult minimum wage to include 16 and	N	3	1	1	5
	up	Column %	9.4%	2.1%	3.7%	4.7%
T		Row %	60.0%	20.0%	20.0%	100.0%
Total	Number of Cases		N=32	N=48	N=27	N=107
	%		29.9%	44.9%	25.2%	100.0%



Question 6			Perspective v	Perspective when completed questionnaire		
			Employers/ Rep. Employers	Employees/ Rep. Employees	Not specified	
If No, why?	Equal pay for equal	N	43	68	24	135
	work	Column %	79.6%	78.2%	58.5%	74.2%
		Rew %	31.9%	50.4%	17.8%	100.0%
	Satisfactory for people	N	1		2	3
	under 16	Coluinn %	1.9%		4.9%	1.6%
		Row %	33.3%		66.7%	100.0%
	Equal M W will remove	N	2	6	4	12
	incentive to hire youth	Column %	3.7%	6.9%	9.8%	6.6%
		Row %	16.7%	50.0%	33.3%	100.0%
	Younger people are	N	4	11	9	24
	supporting themselves	Column %	7.4%	12.6%	22.0%	13.2%
		Row %	16.7%	45.8%	37.5%	100.0%
	Higher wage means	N		2		2
	better, longer term performance	Column %		2.3%		1.1%
		Row %		100.0%		100.0%
	Should depend on	N	6	1		7
	skills/reflect work being done	Column %	11.1%	1.1%		3.8%
		Row %	85.7%	14.3%		100.0%
	Other	N	1	1	3	5
		Column %	1.9%	1.1%	7.3%	2.7%
		Row %	20.0%	20.0%	60.0%	100.0%
Total	Number of Cases		N=54	N=87	N=41	N=182
	%		29.7%	47.8%	22.5%	100.0%

Question 7		Perspective	Perspective when completed questionnaire			
			Employers/ Rep. Employers	Employees/ Rep. Employees	Not specified	
Are the	No	N	57	56	35	148
provisions for minimum pay of 3 (2) hours	Column %	34.5%	31.5%	31.0%	32.5%	
at a minimum		Row %	38.5%	37.8%	23.6%	100.0%
appropriate?	Yes	N	108	122	78	308
	Column %	65.5%	68.5%	69.0%	67.5%	
		Row %	35.1%	39.6%	25.3%	100.0%



Question 7			Perspective when completed questionnaire			Total
			Employers/ Rep. Employers	Employees/ Rep. Employees	Not specified	
Total	Number of Cases		N=165	N=178	N=113	N=456
	%		36.2%	39.0%	24.8%	100.0%
If Yes, why?	Travel cost are	N	12	16	10	38
	incurred, make travel time worth while	Column %	17.9%	18.6%	18.9%	18.4%
		Row %	31.6%	42.1%	26.3%	100.0%
	Protect employees	N	19	9	6	34
	from being taken advantage of	Column %	28.4%	10.5%	11.3%	16.5%
		Row %	55.9%	26.5%	17.6%	100.0%
	Fair/a minimum is	N	21	24	16	61
	required/reasonable	Column %	31.3%	27.9%	30.2%	29.6%
		Row %	34.4%	39.3%	26.2%	100.0%
	Employer should be	N	7	27	14	48
	required to pay a minimum of 3 hours	Column %	10.4%	31.4%	26.4%	23.3%
		Row %	14.6%	56.3%	29.2%	100.0%
	Keeps employers	N	7	6	5	18
	organized	Column %	10.4%	7.0%	9.4%	8.7%
		Row %	38.9%	33.3%	27.8%	100.0%
	Fair with exemptions/permit exemptions	N	6	11	7	24
		Column %	9.0%	12.8%	13.2%	11.7%
		Row %	25.0%	45.8%	29.2%	100.0%
	Other	N	2	6	2	10
		Column %	3.0%	7.0%	3.8%	4.9%
		Row %	20.0%	60.0%	20.0%	100.0%
Total	Number of Cases		N=67	N=86	N=53	N=206
VAN	%	<del></del>	32.5%	41.7%	25.7%	100.0%
If No, why?	4 hours	N	7	8	. 6	21
		Column %	14.6%	18.6%	19.4%	17.2%
	2.	Row %	33.3%	38.1%	28.6%	100.0%
	3 hours pay at normal rate of pay	N.	8	13	5	26
		Column %	16.7%	30.2%	16.1%	21.3%
	Paid for hours worked	Row %	30.8%	50.0%	19.2%	100.0%
		N Column %	16.7%	11.6%	9.7%	13.1%
		Row %	50.0%	31.3%	18.8%	100.0%
	Not high enough to	N N	6	12	5	. 23
	cover travel expenses	Column %	12.5%	27.9%	16.1%	18.9%
		Row %	26.1%	52.2%	21.7%	100.0%



Question 7	17		Perspective when completed questionnaire			Total	
			Employers/ Rep. Employers	Employees/ Rep. Employees	Not specified		
If No, why?	Exemptions based on weather/school	N	15		8	23	
		Column %	31.3%		25.8%	18.9%	
		Row %	65.2%		34.8%	100.0%	
	Same for students and adults	N	5	7	5	17	
		Column %	10.4%	16.3%	16.1%	13.9%	
		Row %	29.4%	41.2%	29.4%	100.0%	
	Limits casual	N	8	2	3	13	
	employment	Column %	16.7%	4.7%	9.7%	10.7%	
		Row %	61.5%	15.4%	23.1%	100.0%	
	Other	N	1		1	2	
		Column %	2.1%		3.2%	1.6%	
		Row %	50.0%		50.0%	100.0%	
Total	Number of Cases		N=48	N=43	N=31	N=122	
	%		39.3%	35.2%	25.4%	100.0%	
	Number of Cases		N=48	N=43	N=31	N=122	
	%		39.3%	35.2%	25.4%	100.0%	
What changes would you suggest	4 hours	N	7	20	8	35	
		Column %	14.6%	29.0%	23.5%	23.2%	
		Row %	20.0%	57.1%	22.9%	100.0%	
	None	N	9	7	3	19	
		Column %	18.8%	10.1%	8.8%	12.6%	
		Row %	47.4%	36.8%	15.8%	100.0%	
	3 hours	N	5	13	10	28	
		Column %	10.4%	18.8%	29.4%	18.5%	
		Row %	17.9%	46.4%	35.7%	100.0%	
	One rate for all/equal pay for equal work	N	8	2	4	14	
	pay for equal work	Column %	16.7%	2.9%	11.8%	9.3%	
		Row %	57.1%	14.3%	28.6%	100.0%	
	Monitor more closely/proper notice	N	3	16	3	22	
	should be given	Column %	6.3%	23.2%	8.8%	14.6%	
		Row %	13.6%	72.7%	13.6%	100.0%	
	Change or reduce for specific cases/noon,	N	9	6	4	19	
	weather	Column %	18.8%	8.7%	11.8%	12.6%	
		Row %	47.4%	31.6%	21.1%	100.0%	

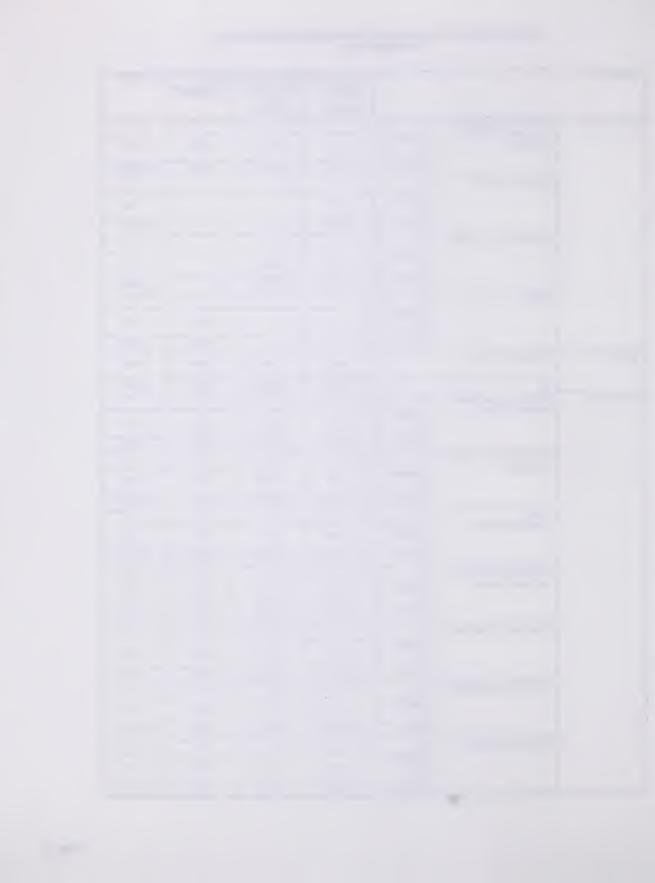


Question 7		Perspective v	Perspective when completed questionnaire			
			Employers/ Rep. Employers	Employees/ Rep. Employees	Not specified	
What changes	Eliminate with specific exemptions/higher minimum	N	7	14	4	25
would you suggest		Column %	14.6%	20.3%	11.8%	16.6%
		Row %	28.0%	56.0%	16.0%	100.0%
	Other	N		1	2	3
		Column %		1.4%	5.9%	2.0%
		Row %		33.3%	66.7%	100.0%
Total	N	·	48	69	34	151
	Column %		100.0%	100.0%	100.0%	100.0%
	Row %		31.8%	45.7%	22.5%	100.0%

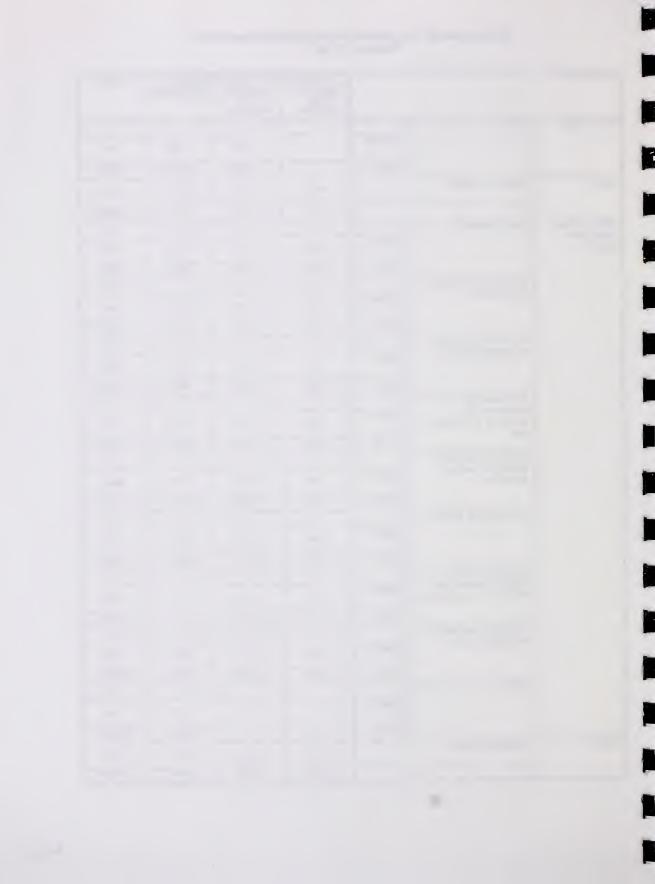
Question 8		Perspective when completed questionnaire			Total		
			Employers/ Employees/ Not specified Rep. Employers Employees		Not specified		
Are the	No	N	30	70	26	126	
provisions relating to charges for		Column %	23.1%	43.8%	30.2%	33.5%	
room and board,		Row %	23.8%	55.6%	20.6%	100.0%	
and deductions for uniforms	Yes	N	100	90	60	250	
appropriate?		Column %	76.9%	56.3%	69.8%	66.5%	
		Row %	40.0%	36.0%	24.0%	100.0%	
Total	Number of Cases		N=130	N=160	N=86	N=376	
	%	·	34.6%	42.6%	22.9%	100.0%	
If Yes, why?	Protects employee	N	8	16	11	35	
		Column %	17.4%	34.0%	36.7%	28.5%	
		Row %	22.9%	45.7%	31.4%	100.0%	
	Fair	N	31	21	14	66	
		Column %	67.4%	44.7%	46.7%	53.7%	
		Row %	47.0%	31.8%	21.2%	100.0%	
	Should not be paying for uniforms	N	5	4	1	10	
		Column %	10.9%	8.5%	3.3%	8.1%	
		Row %	50.0%	40.0%	10.0%	100.0%	
	Should not put wage below minimum wage	N	1	2	2	5	
		Column %	2.2%	4.3%	6.7%	4.1%	
	Row %		20.0%	40.0%	40.0%	100.0%	



Question 8		Perspective when completed questionnaire			Total	
			Employers/ Rep. Employers	Employees/ Rep. Employees	Not specified	
If Yes, why?	Benefits employer - tax	N	1	3	3	7
	deductions & attracts employees	Column %	2.2%	6.4%	10.0%	5.7%
		Row %	14.3%	42.9%	42.9%	100.0%
	They are benefit	N	2			2
		Column %	4.3%			1.6%
		Row %	100.0%			100.0%
	Promotes accentability	N	1	3		4
		Column %	2.2%	6.4%	-	3.3%
		Row %	25.0%	75.0%		100.0%
	Other	N			1	1
		Column %			3.3%	.8%
		Row %			100.0%	100.0%
Total	Number of Cases		N=46	N=47	N=30	N=123
	%		37.4%	38.2%	24.4%	100.0%
If No, why?	Should pay minimum wage not lower	N	3	11	3	17
		Column %	11.1%	20.4%	12.5%	16.2%
		Row %	17.6%	64.7%	17.6%	100.0%
	No deduction for room and board	N	2	8	6	16
		Column %	7.4%	14.8%	25.0%	15.2%
		Row %	12.5%	50.0%	37.5%	100.0%
	Value unrealistic/unclear	N	7	5	3	15
		Column %	25.9%	9.3%	12.5%	14.3%
		Row %	46.7%	33.3%	20.0%	100.0%
	Employer should pay uniform/cleaning	N	9	27	8	44
		Column %	33.3%	50.0%	33.3%	41.9%
		Row %	20.5%	61.4%	18.2%	100.0%
	Share cost of uniforms	N	3	1	1	5
		Column %	11.1%	1.9%	4.2%	4.8%
	No minimum standards	Row %	60.0%	20.0%	20.0%	100.0%
		N	1	2	2	5
		Column %	3.7%	3.7%	8.3%	4.8%
		Row %	20.0%	40.0%	40.0%	100.0%
	Should be reviewed	N	4	6	4	14
		Column %	14.8%	11.1%	16.7%	13.3%
		Row %	28.6%	42.9%	28.6%	100.0%



Question 8	estion 8		Perspective when completed questionnaire			Total
			Employers/ Rep. Employers	Employees/ Rep. Employees	Not specified	
If No, why?	other	N		2	1	3
		Column %		3.7%	4.2%	2.9%
		Row %		66.7%	33.3%	100.0%
Total	Number of Cases		N=27	N=54	N=24	N=105
	%		25.7%	51.4%	22.9%	100.0%
What changes	Raise allowance	N	2	5	4	11
would you suggest		Column %	8.0%	10.9%	18.2%	11.8%
		Row %	18.2%	45.5%	36.4%	100.0%
	Costs of doing business	N	8	22	7	37
	for Employer	Column %	32.0%	47.8%	31.8%	39.8%
		Row %	21.6%	59.5%	18.9%	100.0%
	No deductions below the minimum wage	N	1	5	4	10
		Column %	4.0%	10.9%	18.2%	10.8%
		Row %	10.0%	50.0%	40.0%	100.0%
	No deductions whatsoever for minimum wage rate of pay	N	3	3	3	9
		Column %	12.0%	6.5%	13.6%	9.7%
		Row %	33.3%	33.3%	33.3%	100.0%
	Rules and revisions needed on kinds of deductions	N	4	5	1	10
		Column %	16.0%	10.9%	4.5%	10.8%
		Row %	40.0%	50.0%	10.0%	100.0%
	Fair/leave the way it is	N	4	5	4	13
		Column %	16.0%	10.9%	18.2%	14.0%
		Row %	30.8%	38.5%	30.8%	100.0%
	Expenses shared equally between both employer and employee	N	1	2		3
		Column %	4.0%	4.3%		3.2%
		Row %	33.3%	66.7%		100.0%
	Raise amounts/limits of	N	3	2	1	6
	lodging and meals	Column %	12.0%	4.3%	4.5%	6.5%
		Row %	50.0%	33.3%	16.7%	100.0%
	Other	N			1	1
		Column %			4.5%	1.1%
	- N	Row %			100.0%	100.0%
Total	Number of Cases		N=25	N=46	N=22	N=93
	%		26.9%	49.5%	23.7%	100.0%







# Alberta Labour Employment Standards Regulation Review Focus Groups Summary Report

PREPARED FOR: Alberta Labour
PREPARED BY: Marcomm Works
PRESENTED ON: May 14, 1998



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#### **EXECUTIVE SUMMARY**

Alberta Labour is in the process of conducting a public review of the Employment Standards Regulation. As part of its review, Alberta Labour commissioned Marcomm Works to organize and conduct three focus groups with randomly selected Alberta residents, one each in Calgary, Edmonton and Grande Prairie. This section provides a brief executive summary of results, while the following sections of this report provide more detail on methodology and results.

### Minimum Wage Issues

- Beyond a general awareness that the current minimum wage is \$5 per hour, most
  participants had little awareness of the differential for students, provisions for
  minimum hours paid, room and board deductions, and uniform deductions. Those who
  were aware of these provisions were most often either making minimum wage
  themselves, or had recent experience earning minimum wage, or were employers.
- In all groups, participants were unanimous that Alberta should have a minimum wage.
   This was the case among employers, as well as those who are earning minimum wage now. The consensus in all groups was that without a minimum wage, "unscrupulous" employers would take advantage of the vacuum to abuse those desperate for work.
- Participants were very nearly as unanimous that the current minimum wage is not
  appropriate with just two participants in the Edmonton session saying it is. All other
  participants agreed (most quite strongly) that Alberta's minimum wage is too low,
  largely because it "is below the poverty line" or is insufficient for a person to live on.
- Questioned on what would be an appropriate minimum wage, the focus groups produced a wide array of responses -- in Calgary, the range was from \$6 per hour to \$7.50, while in the other groups, the variance was from \$6 to as high as \$10 (usually advanced as a range of \$8 to \$10).
- Those indicating \$6 or \$6.50 usually suggested they arrived at the figure because they
  believed such an increase could be borne by employers without too large an impact,
  while those advancing figures of \$8 or more usually said they were "guesstimating"
  what hourly wage would be required to provide a basic living, at or above the poverty
  line.

Marcomm Works Exec. Sum. - 1



#### **EXECUTIVE SUMMARY (Continued)**

- There was division of opinion regarding the current minimum wage of \$4.50 an hour for students under the age of 18. Those supporting a differential most often argued either that students require more training and supervision by employers (hence are not as productive), or that students do not face the same level of living expenses as other workers not living at home. Those who opposed the differential were of the view that the worker's age or status as a student should be irrelevant to their pay rather, that wages should be tied to the value of the work.
- Most participants agreed that the current practice of requiring an employer to pay a minimum of 3 hours (or 2 in some cases) is appropriate. For them, it is simply a reasonable means of ensuring that an employee's basic expenses in reporting for work are covered, or a means to prevent abuse of workers through the scheduling of only half-hour or hour-long shifts.
- The majority of participants either supported the provisions relating to maximum deductions for room and board, or were not able to offer an opinion. However, a large majority of participants in all sessions did not agree with the provisions relating to deductions for uniforms -- believing instead that if employers demand uniforms, they should either be fully responsible for them, or at least, should pay for their purchase.

#### Restrictions on Employment of Young Persons and Adolescents

- Unlike awareness of the minimum wage, most participants had been unaware of the
  restrictions on the employment of adolescents and young people, and even those who
  were "aware" to some degree most often suggested it was only in a very general sense,
  or they knew of one or two specific restrictions.
- A significant issue in the minds of many participants -- not specifically addressed in the
  discussion paper -- is that of enforcing existing regulations and minimum wage levels.
   Some participants have a strong sense that some employers may be abusing workers
  by not paying minimum wage, or by not following restrictions on the employment of
  young persons and adolescents. Active enforcement is desired by many.
- Asked whether the restrictions on employment of young people and adolescents in the current regulation are appropriate, the focus groups produced quite a mixed response. Those who agreed saw them as a reasonable means to restrict the employment of young people and encourage them to stay in school. Those who did not agree they are appropriate did not believe they go far enough in restricting employment of young persons and adolescents.

Marcomm Works Exec. Sum. - 2



# Alberta Labour -- Employment Standards Regulation Review Focus Groups Summary Report

### EXECUTIVE SUMMARY (Continued)

- A majority of participants do not agree with including 15 year olds with 16 and 17 year olds when defining restrictions on employment of young persons. Most suggested 15 year olds should be included with adolescents, and young persons should be considered those aged 16 and 17.
- All participants supported restrictions on the employment of children under age 12.
   However, there were three participants who did not support specific provisions in the
   Employment Standards Regulation. These individuals were of the view that if there is
   not a problem, a specific regulation isn't needed. All others, however, believed the
   regulation should contain specific provisions regarding children under age 12.
- On the advisability of restricting any individual 18 or older in working alone between the hours of midnight and 6:00 a.m., the prevailing view in all sessions was that some restrictions would be appropriate — usually where the safety of a worker could be at risk, but sometimes where "back-up" should be available because of the nature of the job. Most often cited were positions in retail convenience stores, but also other types of industrial positions where there could be a safety concern due to equipment or processes.

Marcomm Works Exec. Sum. - 3



#### 1. INTRODUCTION

Alberta Labour is in the process of conducting a public review of the Employment Standards Regulation as part of the Government's commitment to efficiency and effectiveness. The Regulation allows for special provisions and exemptions from the Employment Standards Code, which itself is not under review at the present time.

As part of its review, Alberta Labour commissioned Marcomm Works to organize and conduct three focus groups with randomly selected Alberta residents, one each in Calgary, Edmonton and Grande Prairie. The research was intended to examine Albertans' awareness, perceptions and opinions regarding the current minimum wage, as well as the employment of adolescents and young persons. It was designed to supplement the public consultation work already carried out by the department with specific stakeholder groups.

This report summarizes the methodology and results of the focus group project, and includes Marcomm's observations and conclusions arising from the discussions. Please note that it has been written from the independent and objective point of view of Marcomm Works, and any interpretations, opinions or conclusions contained within it may or may not coincide with those of Alberta Labour.



#### 2. METHODOLOGY

The project consisted of three focused group discussions (or focus groups) involving residents of Calgary, Grande Prairie and Edmonton respectively, who were at least 16 years of age or older.

For recruiting purposes, telephone numbers for each community (and surrounding vicinity) were randomly selected by trained and supervised recruiters employed by The Advisory Group, which was under contract to Marcomm for this project. Quotas ensured a mixture of genders and age categories in all groups, as well as a variety of occupations. All recruiting occurred between April 28 and May 5th, 1998. There were 12 participants in the Calgary focus group; 9 in Grande Prairie (including a late arrival); and 13 in Edmonton. Please see Appendix A for a copy of the screening questionnaire used for recruiting purposes, and Appendix B for profiles of participants.

The focus groups were held on May 5 in Calgary; May 6 in Grande Prairie; and May 7 in Edmonton. The Calgary and Edmonton sessions were each conducted in fully-equipped focus group suites operated by The Advisory Group, while the Grande Prairie focus group was conducted at the Grande Prairie Inn. Each lasted just under two hours. They were moderated by Hank Goertzen, Marcomm's senior consultant for this project, according to a discussion guide which was approved in advance by Alberta Labour. Please see Appendix C for a copy of the guide. Respondents were paid a small honorarium of \$35 each to cover their time and expenses for attending.



#### 3. SUMMARY OF RESULTS

This section provides a brief summary of the discussions, including Marcomm's observations and interpretations. For ease of reporting, results generally are presented in the order the issues were explored in the sessions. Please see Appendix C for a copy of the discussion guide, if required. To illustrate and emphasize key points of the discussions, anonymous quotations from participants are included in italics. These were either taken from the questionnaires completed during the session or from the discussion itself.

### 3.1 Minimum Wage

### 3.1.1 Awareness of Current Minimum Wage

Following introductory comments and participant introductions, participants in each session were asked if they were aware of the current minimum wage levels in Alberta. With only a few exceptions, participants in all sessions were aware (or at least believed) that the minimum wage is currently \$5.00 an hour. However, only a small number of participants were aware that the minimum wage for students under age 18 is \$4.50 per hour, and many of the others expressed some surprise at that fact when raised.

In all groups, some participants volunteered that Alberta's minimum wage is the lowest in Canada, which some others agreed with (although many did not know how the province compares to others). For those believing the minimum wage is lower than other provinces, this clearly was an "issue" to them, particularly since the Alberta economy is among the strongest in Canada. In effect, these participants see a healthy economy as evidence a higher minimum wage can be afforded (rather than, for example, a potential reason for a healthy economy).

"Alberta is the province with the lowest minimum wage."

"Alberta has probably one of the most active economies, and yet they always seem to be lagging everyone else when it comes to things like the minimum wage."

"It's the lowest in Canada."



## 3.1.1 Awareness of Current Minimum Wage (Continued)

Participants then were provided with a portion of the discussion paper issued by Alberta Labour, including Part 3, Minimum Wage, and Part 4, Employment of Persons Under the Age of 18. They were asked to review Part 3 individually, then complete the associated questions, just as they would under any other circumstances.

After participants had completed the questionnaires, and before discussion of their responses, they were asked if anything they had read in the narrative had been a surprise to them. A few participants reconfirmed their surprise that there is a differential in the minimum wage for students, however, most participants were most surprised the learn of provisions relating to room and board and uniforms. Some also were unaware of provisions for a minimum number of hours to be paid, regardless of time worked.

"I didn't know students were paid \$4.50 and all the others get \$5. That was a surprise to me."

"The room and board and uniforms... I didn't know anything about that."

This portion of the discussions, though relatively brief in each centre, illustrates that beyond a general awareness that the current minimum wage is \$5 per hour, most Albertans appear to have little awareness of the differential for students, provisions for minimum hours paid, room and board deductions, and uniform deductions. Those who were aware of any of these provisions were most often either making minimum wage themselves, or had recent experience as a student earning minimum wage, or were employers.

Participants were then asked whether the list of issues presented at the end of Part 3 was complete in their judgement, or whether any "other" issues came to mind for them when they had finished reading the section. In Calgary, a participant suggested the effect on employers of changing the minimum wage is an issue which needs to be addressed. In Edmonton, one participant believed that handicapped workers do not have to be paid the minimum wage, and that this should be both mentioned in the discussion paper and identified as an issue. In both Grande Prairie and Edmonton, several participants flagged an issue related to employer "accountability" for following the regulations, or for enforcement of them by government, or both.



### 3.1.2 Appropriateness of the Minimum Wage

Each focus group then reviewed, collectively, participants' responses to the specific questions included in the discussion paper. In all groups, participants were unanimous that Alberta should have a minimum wage. This was the case among employers, as well as those who are earning minimum wage now. The consensus in all groups was that without a minimum wage, "unscrupulous" employers would take advantage of the vacuum to create what several referred to as "sweat shops".

"It prevents employers from taking advantage of those who are desperate for any type of employment."

Participants were very nearly as unanimous that the current minimum wage is not appropriate -- with just two participants in the Edmonton session saying it is. All other participants agreed (most quite strongly) that Alberta's minimum wage is too low, largely because it "is below the poverty line" or is insufficient for a person to live on.

"Far too low to meet today's living expenses."

"The cost-of-living has risen to a level where the minimum wage is quite farcical."

"I think Alberta's minimum wage is too low to maintain or establish a class of lifestyle above the poverty level. Raising children... on minimum wage is near impossible."

Some participants felt that while the minimum wage may have been appropriate when it was established, it is no longer adequate because of increases in the cost of living. If the minimum wage had been indexed to the cost of living, they believed, the problem could have been avoided. Some others agreed with the concept of indexing the minimum wage to the cost of living, but felt the current minimum was too low even when set — so that indexing would have helped, but still would have resulted in a minimum wage which is too low today.

In the discussions regarding the appropriateness of the minimum wage, a number of participants in each session again mentioned that Alberta's is the "lowest" in Canada, suggesting it should be raised to a level at least comparable to other provinces. However, other participants did note that there may be significant differences in the cost of living



### 3.1.2 Appropriateness of the Minimum Wage (Continued)

between provinces, as well as the "net" after tax income in various provinces. For example, several pointed out the lack of a sales tax in Alberta, while others mentioned lower personal tax rates in this province. So while some participants desire a minimum wage equal to or better those of other provinces, others are willing to accept a differential based on actual costs of living, or net income to recipients.

Of the two participants who agreed that the current minimum wage is appropriate, one was a younger individual who said that he had recent experience living on the minimum wage, and suggested it is possible to do (with some lifestyle sacrifices). The other was a labour relations consultant, who felt increasing the minimum wage might have an adverse effect on overall youth employment levels (prompting employers to reduce or limit their payrolls).

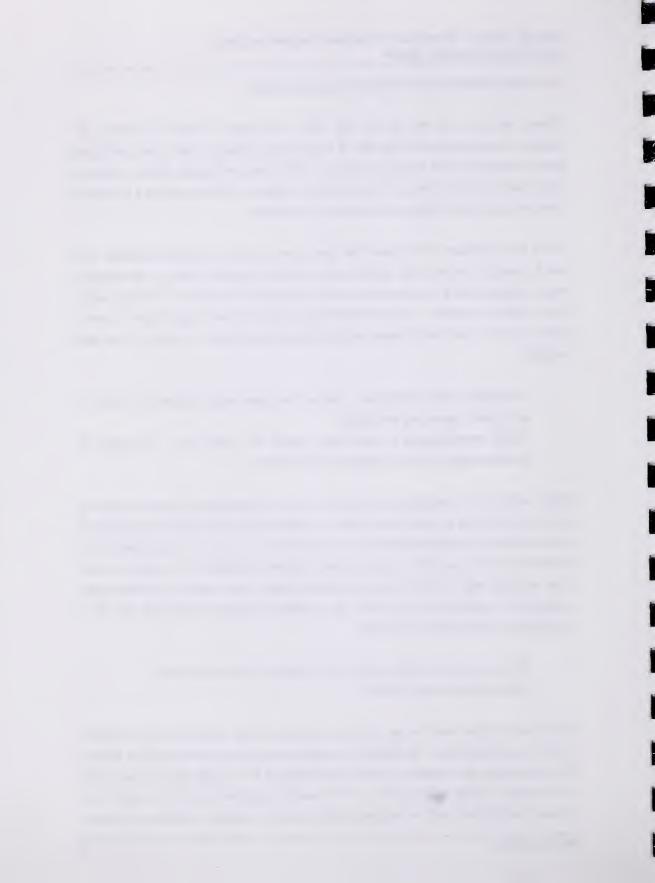
"At roughly \$200 a week gross... one can live quite comfortably at this income, in my opinion, depending on lifestyle."

"Youth unemployment is more than double the overall rate. Increasing the minimum wage is likely to aggravate the problem."

Other participants in the Edmonton session countered that minimum wage does not only apply to "youth", but to many other workers -- so that the issue of youth unemployment to these participants was either irrelevant or only one factor. As well, other participants in the Edmonton session said while young students without dependants and willing to make some sacrifices may be able to live on minimum wage, those who have families (single mothers were mentioned often) cannot do so without working at more than one job or receiving some other form of assistance.

"Some people are working at two, three jobs just to make ends meet."
"What about the single moms?"

Questioned on what would be an appropriate minimum wage, the focus groups produced a wide array of responses -- in Calgary, the range was from \$6 per hour to \$7.50, while in the other groups, the variance was from \$6 to as high as \$10 (usually advanced as a range of \$8 to \$10). Those indicating \$6 or \$6.50 usually suggested they arrived at the figure because they believed such an increase could be borne by employers without too large an



### 3.1.2 Appropriateness of the Minimum Wage (Continued)

impact, while those advancing figures of \$8 or more usually said they were "guesstimating" what hourly wage would be required to provide a basic living, at or above the poverty line. Many of these also suggested they were thinking in terms of a worker with dependents, such as spouses or children.

It is worth note that when the highest suggested minimum wages were mentioned in the sessions, other participants were quick to point out that caution was required in terms of the impact on employers of large increases, as well as the potential impact on the costs of goods and services to *everyone*.

"You have to recognize... that there are limits to what an employer can bear."
"You go down to McDonald's and watch the price of those Big Macs!"

When these comments were advanced, those suggesting the higher minimum wage levels or ranges appeared to acknowledge them as legitimate concerns (which they had not considered, or not fully considered).

Finally in this portion of the discussions, suggestions again were raised by many participants for the minimum wage to be indexed to inflation — so that increases in the cost-of-living are automatically accounted for in the future.

"It has to be tied to the cost-of-living."
"Index it."

These types of comments did not encounter any strong, vocal opposition -- though many participants said nothing at all in either support or opposition.

#### 3.1.3 Differential for Students Under 18

In all of the focus groups, there was a clear division of opinion regarding the current minimum wage of \$4.50 an hour for students under the age of 18 -- with some supporting and some opposing, in roughly equal proportions.



## 3.1.3 Differential for Students Under 18

Those supporting the differential for students most often argued either that students require more training and supervision by employers (hence are not as productive), or that students do not face the same level of living expenses as other workers not living at home. A few participants also supported the differential as one method of discouraging dropouts.

"Majority of students reside at home with parents who should be responsible for daily living expenses."

"Students usually live at home and therefore have no extra expenses."

"Most people at a student's age require a lot of training and guidance."

In response, other participants took exception to the argument that "students usually live at home" — but the discussion showed that many participants were somewhat confused by the use of the word "student" (thinking primarily of university students, many of whom do not live at home, but who are also over 18 and not subject to the provision). Still others pointed out many university students are 17 when they first enrol, and therefore subject to the regulation, even though they may not live at home. Some were clearly confused as to whether this provision "applies to everyone under 18", or "only students". One participant finally suggested that the differential should be tied to high school graduation or leaving, rather than age, to avoid such confusion.

Those who opposed the differential were of the view that the worker's age or status as a student should be irrelevant to their pay -- rather, that wages should be tied to the value of the work. Many suggested the provision leads to abuse of students, turning them into a source of "cheap" labour and in effect, penalizing them for their age or student status.

"A productive employee should be paid on performance of duties, attitude, etc., not based on age."

"Students work just as hard, if not harder. Students are usually stuck doing the jobs no one else wants."

"Workers deserve the same wage for services rendered. This practice is merely a way to provide a pool of cheap labour."

"Why should students be penalized?"



## 3.1.4 Appropriateness of Minimum Pay

Most participants, in all of the focus groups, agreed that the current practice of requiring an employer to pay a minimum of 3 hours (or 2 for students under 18 and some other categories) is appropriate. For them, it is simply a reasonable means of ensuring that an employee's basic expenses in reporting for work are covered, or a means to prevent abuse of workers through the scheduling of only half-hour or hour-long shifts.

"In my experience working temp jobs, there were times I was sent to sites very out of the way. I use public transit, and by the time I got there, they say, 'oh, we didn't need you'...At least with the minimum it covered my time."

Some participants, though, did not believe the provision is appropriate, because they either think all workers (including students, bus drivers, etc.) should get 3 hours minimum pay, or that the minimum should be raised to 4 hours from 3.

"In the wealthiest province in Canada, people should be guaranteed a minimum of 4 hours."

"It should be 4 hours, to make the time worthwhile."

Clearly a small minority view in the focus groups was that workers should only be paid for hours worked, with no minimum levels.

"(You) shouldn't be paid for work you didn't do."

#### 3.1.5 Deductions for Room & Board and Uniforms

The focus groups next considered the maximum deductions from pay allowed for room and board and uniforms. With respect to room and board, many participants professed to not know if the permissible deductions were reasonable or not, while others said "they appear to be" reasonable. One participant in Calgary even thought the provisions represent a "good deal" for young workers in places like Banff or Jasper, where private lodging and board can be very expensive.



## 3.1.5 Deductions for Room & Board and Uniforms (Continued)

There were only a few participants who did not think the provisions relating to room and board were appropriate -- some believing wages should not be tied to room and board (which should be negotiated separately), and some believing employers should be fully responsible if room and board is required of employees.

"Most of these requirements are employer driven, and as such, should not be used to reduce the employee's basic income."

While some participants also felt the provisions relating to deductions for uniforms were appropriate, a clear majority in all centres did not agree -- believing instead that if employers demand uniforms, they should either be fully responsible for them, or at least, should pay for their purchase.

"(If) employers want staff to dress up in a certain way, employers should pay for it."

"If an employer has a specific dress code, that employer should pay for any uniforms, and maintenance is the responsibility of the employee."

This portion of the focus group discussions led to several anecdotes from younger participants about what they feel is a related issue — employers "requiring" students and young people to buy uniforms, aprons, or certain items of apparel *before* they will hire them (with of course no guarantee that they actually will be hired). These participants view this type of practice as both an abuse of potential workers, and as a means for employers to skirt the maximum deductions allowed under the regulation. Once again, such anecdotes led to discussion of the need for greater policing and enforcement of existing provisions of the Employment Standards Regulation.



## 3.2 Employment of Persons Under the Age of 18

#### 3.2.1 Awareness of Current Restrictions

Following the discussions on the minimum wage and related issues, participants were asked to review Part 4 of the discussion paper, dealing with restrictions on the employment of people under 18 years of age, and to complete the associated questionnaire individually. Again, prior to discussing their individual responses, the groups were asked if there was anything in the narrative which surprised them, and whether the issues listed appeared to be complete.

Unlike awareness of the minimum wage, most participants had been unaware of the restrictions on the employment of adolescents and young people, and even those who were "aware" to some degree most often suggested it was only in a very general sense. Some had been aware of restrictions on young persons (often because they apply or recently applied to these participants), but not adolescents. The discussions clearly suggest that public awareness of current restrictions is quite low.

Again asked if the list of issues presented at the conclusion of Part 4 appeared complete, participants did not specifically flag any additional ones at first, but later discussion in each of the focus groups clearly revealed a significant issue in the minds of many participants — that of enforcement of existing regulations (echoing concerns regarding enforcement of minimum wage provisions). Some suggested that employers deliberately ignore the restrictions in the code, with young persons and adolescents being either unaware of their rights, or too afraid of losing their jobs to stand up for themselves. Others suggested some young people and adolescents themselves are willing to violate the restrictions in order to work/earn more.

"I feel there is not enough regulation in this field. Children are being pushed and bullied around by employers...children don't have the resources or know how to fight for their rights. Make it mandatory for employers that hire children to distribute pamphlets on regulations."

"Enforce what the regulation is."

"I think that adolescents and young persons are protected fairly well (in the regulation), but who polices this? And do they?"



## 3.2.1 Awareness of Current Restrictions

A Calgary participant also raised the issue of "abuse" of the minimum wage and restrictions on employment of youths and children by some employers of immigrants (this participant in fact was upset that no "visible" immigrant was included in that focus group session). Others agreed that immigrants and their children might be easier targets for abuse of the Employment Standards Regulation by some employers.

## 3.2.2 Appropriateness of Restrictions

Asked whether the restrictions on employment of young people and adolescents in the current regulation are appropriate, the focus groups produced quite a mixed response. In Calgary, nearly all participants felt they are not, primarily because some participants had difficulty with adolescents (under 16) working at all, or with their ability to work in certain circumstances like retail, where they may face a liability issue but can't be bonded. In Grande Prairie, the reverse was the case, with nearly all participants agreeing that the restrictions appear to be appropriate. And in Edmonton, results were more mixed, with participants who both agreed and disagreed with the restrictions (those who disagreed again usually believed they do not go far enough).

Those who felt the restrictions are appropriate most often said they agreed with them because youths and adolescents should be restricted in their employment as a means of encouraging them to stay in school.

"I think that there has to be guidelines for employers to follow, or teenagers will be working all hours of the day, and school should come first."

"I like to see their employment limited at that age. It encourages them to stay in school."

Those disagreeing that they are appropriate usually wanted them to be even stricter -- for example, on late night shifts, where safety is a concern.

"No young persons or adolescents should work the midnight shift."

"I do not think an adolescent should be permitted to work between midnight and 6 a.m., regardless of the establishment."



## 3.2.2 Appropriateness of Restrictions (Continued)

One participant in Edmonton, however, disagreed with the current restrictions for a completely opposite reason -- believing there should be none.

"If you can do the job, you should be able to do it."

## 3.2.3 Definition of Young Person

The discussion paper points out that the school leaving age is 16, yet the current Employment Standards Regulation includes 15, 16 and 17 year olds in one category in terms of employment restrictions. There were a few participants in the focus groups who agreed it is appropriate to do so (because they supported restrictions on 16 and 17 year olds, even if they had left school), but the majority of participants did not agree that this was appropriate — most suggesting 15 year olds should be included with adolescents, and young persons should be considered those aged 16 and 17.

"I think it would be appropriate to put the age at which you can leave school and the young persons category together at 16."

"There is a huge difference in maturity... between a 15 year old and a 17 year old."

Some, though, felt that anyone 16 and older who had left school should not be restricted.

"A 16 or 17 year old may not be going to school and should be able to take any job."

"A lot of people are living on their own at age 16, so they should be categorized differently."

"If they refuse to stay in school at age 16, then I believe they should have a chance (to do any type of job). (But) 15 is too young."

It is important to note that many of these participants did not advocate the removal of all restrictions on "young persons" -- only on those who have left school.



## 3.2.4 Employment of Children Under 12

Participants were unanimous, in all centres, that there should be restrictions on the employment of children under age 12. However, there were three participants who did not support specific provisions in the Employment Standards Regulation. These individuals were of the view that if there is not a problem, regulation isn't needed.

"Unless sweat shops develop in Canada, there is no need for regulating 'nothing'..."

"I'm not aware there is a problem."

All other participants, however, believed the regulation should contain specific provisions regarding children under age 12 (many believing it should be banned altogether except in some cases like baby-sitting). This would not only ensure that child labour does not become an issue, but allow for policing of employers.

"(The) government should define an acceptable social standard, not leave it implied. Silence... implies tacit approval."

"Children under 12 should not be working - they should be children."

"Children should not have to work before the age of 12, unless they are babysitting."

"To leave no doubts as to whether they can or cannot work."

"Without provisions, there is no way to police adolescent employment."

## 3.2.5 Restrictions Between Midnight and 6 a.m.

The final portion of the questionnaire and the discussions dealt with the advisability of restricting any individual 18 or older in working alone between the hours of midnight and 6:00 a.m.. In Calgary and Grande Prairie, this led to some confusion as to whether the question was worded accurately (ie. 18 or older), or whether the question really referred to youths 18 or younger. In the latter case, participants in these sessions clearly supported restrictions -- but had more mixed opinions regarding persons over 18 years of age.

The prevailing view in all sessions was that some restrictions would be appropriate in certain circumstances -- usually where the safety of a worker could be at risk, but sometimes where "back-up" should be available because of the nature of the job.

## 3.2.5 Restrictions Between Midnight and 6 a.m. (Continued)

Most often cited were positions in retail convenience stores, subject to robberies, but also other type of industrial positions where there could be a safety concern due to equipment or processes.

```
"Mainly a safety factor... women shouldn't be left alone."
```

There were some participants in all sessions, though, who felt that no one should work alone between midnight and 6 a.m., while one even suggested no one should ever work alone at any time if there is a safety concern.

"If the personal safety of an individual is at risk at any time, then there must be another individual present."

"No one should work alone after midnight."

"A minimum of 2 people should work overnight."

Finally, a minority view in the focus groups was that there should be no restrictions on employment of people over 18 -- leaving them to make the decision themselves whether they should accept a position if they are concerned about safety.

"At some point, mature judgement must prevail."

"If a person is 18 years old, they are aware of the dangers involved with the job and are old enough to make their own decision."

<sup>&</sup>quot;All persons in retail, convenience stores, like 7-11, Mac's..."

<sup>&</sup>quot;Depends on the job and the security level."



Appendix A
Screening Questionnaire

Appendix A Screening Questionnaira

# Alberta Labour Focus Groups Screening Questionnaire

INTERVIEWER: INDICATE GROUP BEING RECRUITED:

Group 1 - Calgary

Group 2 - Grande Prairie

Group 3 - Edmonton

ASK TO SPEAK TO A MALE/FEMALE (ROTATE) OVER 16 YEARS OF AGE.

300d alternoon/evening. My name is Thi with the Advisory
Group, an Alberta public opinion research firm. We're working with the Province of Alberta,
Department of Labour, on a research project that requires getting the views and opinions of a
variety of Alberta residents, like yourself. There are no sales or promotions of any kind involved
n this research. Do you have three or four minutes to answer a few questions for me?
F NECESSARY, ARRANGE CALL BACK. DAY TIME
I. ENTER GENDER:
Male 1
Female2
ENSURE EQUAL SPLIT OF GENDERS
As I mentioned, we're working on a research project for the Alberta Department of Labour. The
department is in the process of reviewing the Employment Standards Regulation for the
Province of Alberta. As part of this review, the department needs to gather the views and
opinions of Alberta residents regarding the current minimum wage, as well as the employment of
adolescents and young people in general. To do that, we're planning to hold some focused group
discussions, or focus groups. Each one will include 10 or 12 other people like yourself, and it will
be led by a consultant. The discussion won't last any longer than two hours. To cover your time
and expenses for attending, we'll pay you a \$35 honorarium at the end of the session.
2. Are you willing to take part in such a group discussion?
Yes1
No2
IF NO, THANK AND TERMINATE



3. The session will be on:	
GROUP 1 - Calgary, Tuesday, May 5, at 6	5:00 p.m.
GROUP 2 - Grande Prairie, Wednesday, I	May 6 at 6:00 p.m.
GROUP 3 - Edmonton, Thursday, May 7 at	6:00 p.m.
Can you be available for about two hours on that da	y and time?
Yes	1
No	2
IF NO, THANK AND CLOSE.	
4. To make sure that we are getting the right mix	of people from the community in the focus
group, I just need to ask a few more questions. Plea	ase tell me your occupation, if any?
ENSURE WIDE VARIETY OF OCCUPATIONS - N	O MORE THAN TWO IN ANY CATEGORY!
5. I'm going to read a list of age groups to you. Pleas	
16 - 24	
25 - 34	
35 - 44	3
45 - 54	4
55 or older	
ENSURE REPRESENTATION FROM EACH CATE	GORY MIN. 2 FROM EACH DESIRED.
The discussion will be held at:	1 005 0th Avenue 014/
GROUP ONE - The Advisory Group, 17th F	loor, 335 8th Avenue SVV
GROUP TWO - The Grande Praire Inn	h Gara Matanasitan Diago 402nd Charat and
	h floor, Metropolitan Place, 103rd Street and
Jasper Avenue.	as as that the discussion can start promotive
Please try to be there four or five minutes in advan	
If for any reason your schedule changes and you at	
1133 as soon as possible, so that we can try to arra	
calling or writing you to confirm the date and time your name, address, telephone number, and a fax n	
	· ·
Name: F Address: V	Phone:
Fax:	

Thank you very much for your time and participation!



Appendix B
Profiles of Participants

Appendix B Profiles of Participants

## Respondent Profile

## Alberta Department of Labour Focus Groups - Group 1

Tuesday, May 5, 1998 @ The Advisory Group, Calgary

Name	Gender	Age	Occupation
Lisa	F	25-34	Housewife - Computer operator
Linda	F	35-44	Business owner - rewards program
Sandra	F	45-54	Clerk - Unemployment Dept.)
Daniel	M	35-44	Cook
Sean	M	16-24	High School Student
Beverly	F	55+	Retired
Donna	F	45-54	Reporter
Terry	M	16-24	Usher
Kirk	M	25-34	Business Manager
Jason	M	16-24	Gas Station Attendant
Theresa	F	45-54	Bank Admin. Manager
Barb	F	35-44	Financial Adivsor



## Respondent Profile Alberta Department of Lubour Focus Groups - Group 2

Wednesday, May 6, 1998 (a) The Grande Prairie Inn, Grande Prairie

Name	Gender	Age	Occupation
Dale	M	45-54	Owner - Cleaning Business
Al	M	45-54	Truck Driver
David	M	35-44	Electrician
Patty	F	45-54	Day Care Operator
Karen	F	25-34	Unemployed/Student
Doug	M	55+	Dentist
Mildred	F	55+	Retired .
Sid	M	35-44	Maintenance
Ian	M	45-54	Insurance Adjustor



## Respondent Profile

## Alberta Department of Labour Focus Groups - Group 3

## Thursday, May 7, 1998 (a) The Advisory Group, Edmonton

Name	Gender	Age	Occupation
Janice	F	36-44	Accountant
Sharlene	F	16-24	Customer Service Rep.
Mike	M	16-24	Graphic Artist
Anne	F	55+	Owner/Operator
Debbie	F	35-44	Auditor - Revenue Canada
Sharon	F	35-44	Management/Administration
Tom	М	45-54	Administration/Office
Kristina	F	25-34	Student
Russ	M	45-54	Consultant
Arlyn	M	45-54	Owner/Operator Bakery
Jennie	F	55+	Insurance Underwriter
John	M	25-34	Social Worker
Melanie	F	16-24	Customer Service/Sales



Appendix C

Moderator's Discussion Guide

Appendix C Moderator's Discussion Guide

## Alberta Labour Focus Groups Discussion Guide

#### 1. INTRODUCTIONS

- Moderator, Marcomm, facilities and process
- Explain purpose of discussion part of the Department's review of the Employment Standard Regulation
- Emphasize confidentiality of process, importance of open discussion
- Participants introduce themselves (name, occupation, hobbies or interests)

#### 2. AWARENESS OF CURRENT REGULATION

- AVOID DEBATE OVER "APPROPRIATENESS" OF THE MINIMUM WAGE,
   EMPLOYMENT OF ADOLESCENTS AND YOUTHS, ETC. AT THIS POINT -- QUESTIONS
  IN THIS SECTION DESIGNED TO EXAMINE "TOP OF MIND" AWARENESS ONLY.
- How many of you know what Alberta's minimum wage is today? Are there differences in "the" minimum wage for some people?
- What about the current regulation relating to the employment of adolescents aged 12 to 14?
   Does anyone know what it is or says?
- How about with regard to the employment of youths aged 15 to 17?

### 3. MINIMUM WAGE

- DISTRIBUTE COPIES OF PART 3 (MINIMUM WAGE) OF DISCUSSION PAPER, AND
   ASSOCIATED QUESTIONS. ASK PARTICIPANTS TO REVIEW INDIVIDUALLY, AND
   COMPLETE QUESTIONNAIRE WITHOUT DISCUSSION. WHEN ALL ARE COMPLETED:
- Thinking first of the description of the current minimum wage levels contained in this
  document, was anything you read a suprise to you? Why?
- Are the "issues" which are defined at the end of this section correct and complete in your opinion? What others would you add?
- WALK THROUGH RESPONSES TO QUESTIONNAIRE, QUESTION BY QUESTION, DISCUSSING DIFFERENCES. PROBE FOR REASONS FOR RESPONSES GIVEN.

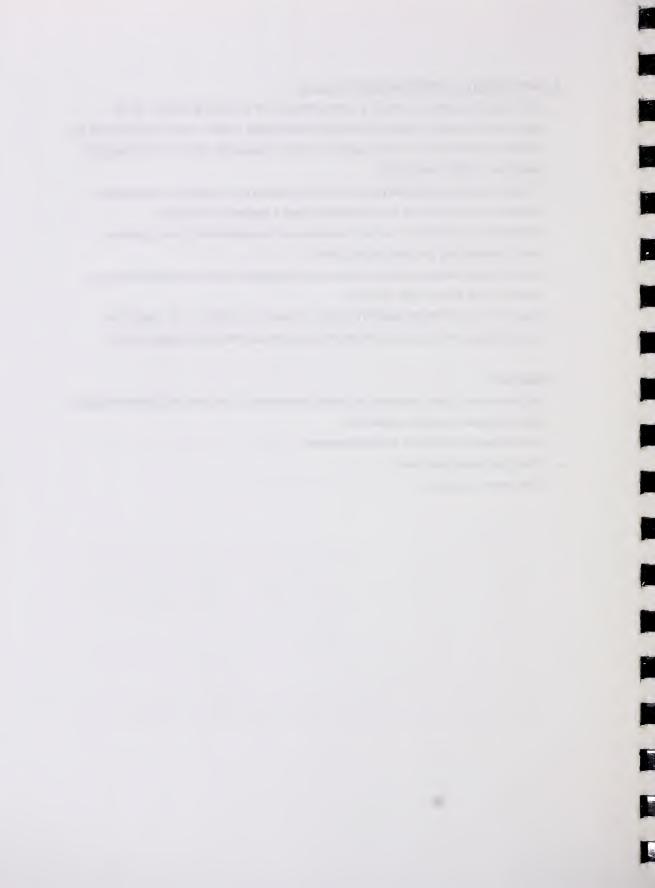


### 4. EMPLOYMENT OF PERSONS UNDER AGE 18

- DISTRIBUTE COPIES OF PART 4 (EMPLOYMENT OF PERSONS UNDER 18) OF
  DISCUSSION PAPER, AND ASSOCIATED QUESTIONS. AGAIN, ASK PARTICIPANTS TO
  REVIEW INDIVIDUALLY, AND COMPLETE QUESTIONNAIRE WITHOUT DISCUSSION.
  WHEN ALL ARE COMPLETED:
- Thinking first of the description of the current restrictions on employment of adolescents contained in this document, was anything you read a suprise to you? Why?
- How about the description of current restrictions on the employment of young persons?
   Again, was anything a surprise to you? Why?
- Are the "issues" which are defined at the end of this section correct and complete in your opinion? What others would you add?
- WALK THROUGH RESPONSES TO QUESTIONNAIRE, QUESTION BY QUESTION,
   DISCUSSING DIFFERENCES. PROBE FOR REASONS FOR RESPONSES GIVEN.

#### 5. WRAP-UP

- Do you have any other comments you would like to make, either about the minimum wage or the employment of persons under 18?
- Do you have any questions about the process?
- Thank participants and close.
- Distribute honorariums.







# Alberta Labour

# Employment Standards Regulation Review Discussion Group Summary Report

Calgary, Alberta May 21, 1998

Prepared By: Susan Humble, Recorder Bob Hicks, Recorder



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### EXECUTIVE SUMMARY

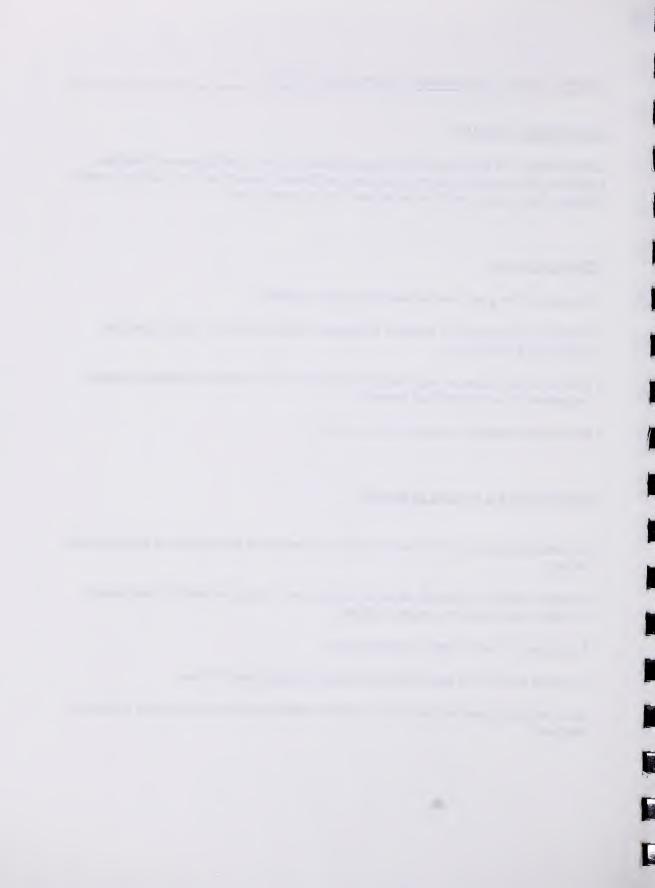
Alberta Labour is in the process of conducting a public review of the Employment Standards Regulation. The Regulation allows for special provisions and exemptions from the Employment Standards Code, which itself is not under review at the present time.

# **MINIMUM WAGE**

- Consensus of the group was that minimum wage is necessary.
- Minimum wage should be a minimum living wage and an incentive to work. Suggestions ranged from \$6.00 to \$8.50.
- When increasing minimum wage, the government needs to be cognizant of impact on small businesses. (Law of supply and demand)
- Show up time should be constant. (3 hrs. vs. 2 hrs.)

#### ADOLESCENTS & YOUNG PERSONS

- No person under the age of 12 should be allowed to work with the exception of the agricultural industry.
- Minimum wage for adolescents should be an entry level training wage while young persons and adults wage should be marginally higher.
- Regroup ages for adolescents vs young persons
- No person should work alone between the hours of midnight and 6:00 am.
- More vocational opportunities should be made available in conjunction with work experience programs.



## 1. INTRODUCTION

Alberta Labour is in the process of conducting a public review of the Employment Standards Regulation. The Regulation allows for special provisions and exemptions from the Employment Standards Code, which itself is not under review at the present time.

A focus group, randomly selected from submissions received by Alberta Labour, met in Calgary on May 21, 1998 to discuss two sections of the Employment Standards Regulation, namely Minimum Wage and Employment of Adolescents and Young Persons. The focus group consisted of a wide range of interests such as:

- employers
- youth
- adult employees affected by minimum wage
- social organizations
- employee organizations
- employer organizations



#### 2. DISCUSSION

### 2.1 MINIMUM WAGE COMMENTS

- · Why do we have a minimum wage?
- A minimum wage is a must so employers have a guide to go by.
- There must be an economic balance of compensation to prevent abuse by employers.
- Minimum wage is necessary to maintain a level playing field and should be a living wage and incentive to work.
- The minimum wage as it is does not encourage challenged individuals to go from the assured income to earn a wage. It should act as an incentive.
- With the rising costs of tuition and cost of living, the minimum wage should be raised accordingly.
- There should not be a 2 hour show up requirement for students, it should be 3 hours across the board. (\$7.00/hr)
- With increasing rental costs, individuals trying to get ahead and off social assistance; we have a strong economy and should be compensated accordingly. (\$6.50 - \$7.00/hr with a differential of \$.50 for students. Same work should receive the same pay.
- Minimum wage and unemployment stats are linked. When you increase the price, you reduce
  the demand (law of supply and demand). Increasing the minimum wage will reduce the
  number of employees presently employed in certain industries.
- Individuals on low incomes or minimum wage have a tendency to move from job to job for better self worth..
- Students should not receive less than adults for a wage. (\$7.00/hr)
- More vocational training schools should be made available to students which would help improve self worth. Students are just as valuable and productive.
- Goal of Alberta is have a low unemployment rate. \$5.00/hr will not allow this.
- \$5.00/hr could be used as an entry level, afterwards to better themselves would be up to individual to self improve.



- Minimum wage is only an entry level and with Alberta's economy positive, remain as is.
   Pay competitively for worth of work. Young people work same as adults and are deserving of the same wage. Standards have changed and a 3 hour show up time is reasonable for all employees. Increasing minimum wage will reduce staffing to maintain employer's budget. There should be a tax break at the lower pay scale.
- If we move to \$7.00/hr that will be all an employer pays. High turn over could be related to no commitment from employees. With students increased tuition fees and books this is a societal investment and we should be more supportive to increase education. Tips are not always available and is dependant upon the industry. Labour is overhead. 40 50% of the minimum wage earners receive tips. No commitment from employees
- Increasing minimum wage also increases source deductions. When economy is good, it will dictate what the fair wage is. Regulation should be flexible to change with society.
- Costs vs hidden costs must be analysed. Minimum wage and welfare are linked. Welfare
  recipients receive drug plan/dental/eye care and will stay on social assistance due to benefits
  offered. Children in family environment on assistance has a tendency to have a snowball
  effect. \$7.00/hr could make it. The government needs to evaluate the manner in which it sets
  minimum wage so that individuals can realistically strive for independence.. (Students \$6.50,
  adults \$7.00)
- If minimum wage is too high, students will leave school.
- Raising minimum wage increases the buying power which ultimately has a domino effect.
- Minimum wage is a stepping stone and should be used as a motivator.
- Differential for tipped employees.

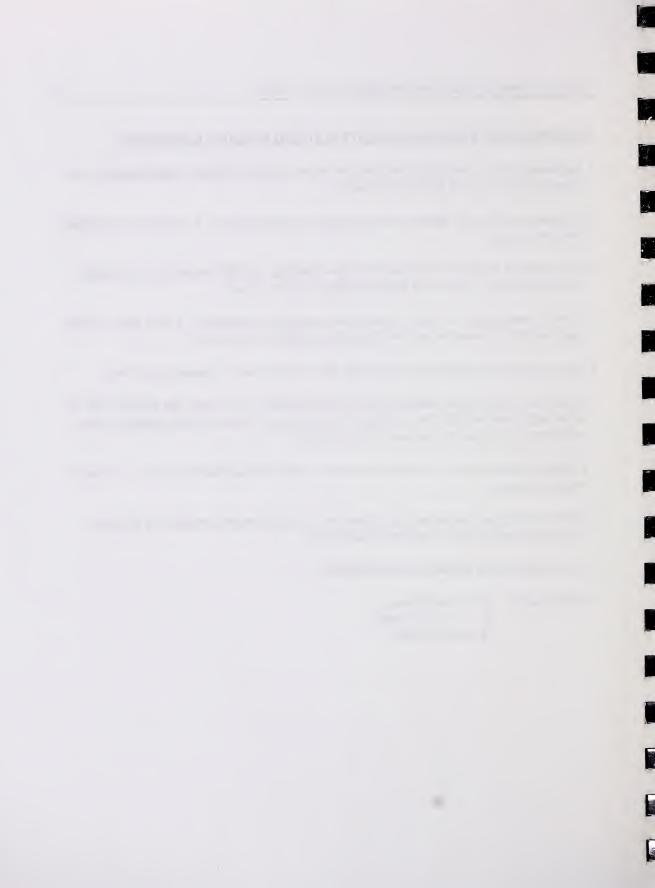


### 2.2 EMPLOYMENT OF ADOLESCENTS & YOUNG PERSONS COMMENTS

- Legislation needs to be specific and not silent when it comes to children under the age of 12 to prevent exploitation and prohibit child labour.
- Legislation need not be changed at the moment for under the age of 12 as it has not created any problems thus far.
- No one should work alone between the hours of midnight and 6:00 am because of the safety and security factor. Employers should be responsible for its staff.
- Consider employment of youth an entry level wage into the workforce. After a period of time wage could be increased or pro-rated depending on skill level achieved.
- Under certain circumstances they should be able to work alone (i.e. nurses, taxi drivers)
- Schools have discouraged students from entering the trades. If we could hire younger than 18 in the trades there wouldn't be a shortage of trades people. Promote school participation and put restrictions in place for students to stay in school.
- Children under the age of 12 should be allowed to work in the agricultural industry and family oriented business.
- With the driving age and school age to leave set at 16, they become available for full time employment and should be considered accordingly.
- Two or three people should be working together.

• Three groups: 12 - 15 (adolescent)

16 - 17 (young person) 18 and over (adult)







# Alberta Labour

# Employment Standards Regulation Review Discussion Group Summary Report

Edmonton, Alberta May 19, 1998

PREPARED BY:

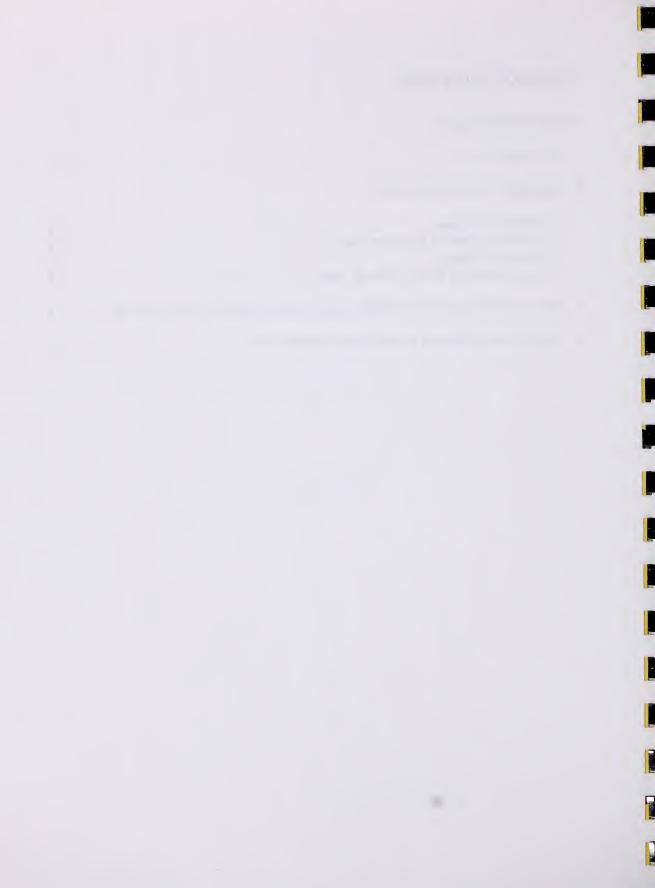
Carolyn Bennett, Recorder Russ Slemko, Recorder



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# **EXECUTIVE SUMMARY**

Alberta Labour is in the process of conducting a public review of the Employment Standards Regulation. The Regulation allows for special provisions and exemptions from the Employment Standards Code, which itself is not under review at the present time.

# Minimum Wage

- Consensus of the group was that the intent of minimum wage must be reviewed to determine if minimum wage is an entry level wage or a minimum living wage
- Unanimous that minimum wage is necessary and it needs to be increased. No consensus on what new rate should be. Suggestions ranged \$6.00 \$8.00
- Increases should not be a political whim but rather indexed to average wage/industrial index
- Consensus that minimum wage must provide incentive to work rather than relying on Employment Insurance/social assistance
- Increases should be progressive and not revolution, so the impact on small business is manageable.
- When increases occur communication must occur between government departments which provide funding to agencies paying minimum wage to allow necessary funding increases.

# Adolescents and Young Persons

- Younger than 12 years should not be allowed to work
- No consensus on different minimum wage for student/adult
- Align youth ages in School Act and Employment Standards Code



## 1. INTRODUCTION

Alberta Labour is in the process of conducting a public review of the Employment Standards Regulation. The Regulation allows for special provisions and exemptions from the Employment Standards Code, which itself is not under review at the present time.

A focus group, randomly selected from submissions received by Alberta Labour, met in Edmonton on May 19, 1998 to discuss two sections of the Employment Standards Regulation, namely Minimum Wage and Employment of Adolescents and Young Persons. The focus group consisted of a wide range of interests such as:

- employers
- youth
- adult employees affected by minimum wage
- social organizations
- employee organizations
- employer organizations



## 2. MINIMUM WAGE DISCUSSION

## 2.1 General Comments

- Minimum wage should not be based on Government idealogies.
- Government will benefit by an increase in the minimum wage as every dollar earned by a low wage earner will be spent. An increased minimum wage will put more money back into the economy.
- Minimum Wage is necessary to protect the non-unionized work sector from unscrupulous employers.
- Alberta is fourth of the 12 Canadian jurisdictions for average wages earned but has the lowest minimum wage in Canada.
- The question as to whether minimum wage is entry level wage or a minimum standard for living needs to be addressed.
- Minimum wage should only be considered an entry level wage into the work force and not a minimum standard of living. Currently there are people of all ages with extensive work experience working for minimum wage.
- The Government should not use a laissez-faire attitude to minimum wage increase. It serves as an adjunct to Government fiscal policy as the social programs are Government funded.
- The Province de-regulated everything so has created a need for unions to enter the workplace.
- The service industry is the largest segment of the work force and is generally the lowest paid. About 67% of the Canadian economy is services. As a result, the GST has been very effective in generating money for the Federal Government coffers.
- Minimum wage isn't as important in good times but during recessions it has a great bearing on the workplace.
- Supply and demand of workers does have some bearing on what the marketplace will pay employees.
- Issue of "degree of work difficulty" pay scale was introduced.



- Youths consider that when they are getting into the workforce that these entry jobs should be
  paid at a lower rate but once some skill is developed the rate should be increased to the adult
  minimum wage.
- Why would a youth worker be required to work 1½ year in a restaurant to get a 25¢ an hour increase.

# 2.2 Concerns Related To Minimum Wage

- Personal and family stress is created by trying to survive on minimum wage.
- Companies pay minimum wage but make no effort to train employees to improve their value to the work force.
- Minimum wage should be reviewed on a regular and not ad hoc basis.
- Minimum wage will pay the worker about \$800 per month and social assistance/Employment
  Insurance pays more per month. A low minimum wage is a dis-incentive to work and should
  be a structural incentive to work.
- At a minimum wage of \$5 an hour an employee would earn about \$10,000 a year. The low income cut off established by the Tax Departments is \$16,000 a year. Statistics show that there are 25,000 kids in Alberta in households that are at this poverty income level.
- Increases to minimum wage should be planned and increased on a scheduled basis and should not be reviewed/raised every 5 to 10 years at the whim of the Government.
- The reality is that there will always be people with barriers to work such as being unskilled, have health problems or age and there should be more training opportunities provided by employers and Government to allow these individuals more employment opportunities so they don't stay at minimum or very low wage levels.

# 2.3 Impact of Changes

- Contracts in some fields such as security and janitorial fields are negotiated based on the minimum wage and as a result the employees receive low wages.
- The tendency of employers is to pay immigrant and new comers to the workforce at a minimum wage level.
- Raising minimum wage should not result in huge amounts of unemployment. .



- If radical changes are made to increasing the minimum wage this would create more unemployment. Businesses need time to adjust and any major increases should be phased in over a period of time.
- The user fee system used by all levels of Government has a bigger impact on the low wage earner.
- In the Health Care field many of the employees are receiving very low rates of pay. This is because most of these health care agencies are funded through government departments and the funding is based on minimum wage rates. If minimum wage is increased the funding departments would have to increase their funding.
- It was agreed that small businesses drive the economy. The retailers and small businesses
  would be devastated by a large single increase in the minimum wage rate. The group
  cautioned the use of the term "small business" should not refer to corporations. Wage rates
  are sectoral to industries not small vs big business.
- A higher minimum wage would put more money into the economy and should help the small business owners.
- Increased minimum wage will not cause more bankruptcies.
- Some contracts are informally indexed to minimum wage. It would take 12 to 18 months for any increase to the minimum wage to work its way through contracts.

# 2.4 Determination of Future Minimum Wage

- When minimum wage is looked at consideration should be given to rent, utilities, and transportation costs that a single person must pay.
- There is an enormous spread between the wages paid to the union and the non-union workers. Non-union workers receive \$5 to \$10 an hour and union workers receive \$20 to \$25 an hour.
- Minimum Wage should rise or fall on a regular review with industrial increases.
- Employees in fields such as security work and restaurants have deductions of up to 20 30% from their paycheques for their uniforms, cleaning, and equipment. This does not occur in the work force where higher rates of pay are paid.
- No payment for travel time for most minimum wage jobs.



- Minimum wage should be the same for all workers. There should not be a lower wage for youths.
- There should be an integrated approach to minimum wage and assistance should be given to small business to adjust, possibly through some taxation benefits.
- Small business subsidies do benefit large businesses in the long run.
- There should be co-operative approach between the Provincial and Federal Governments to look at the tax structures to keep low income people working.
- Pensions are raised based on the Consumer Price Index. Minimum wage could also be increased on this index.
- Base minimum wage on the average wage earned in Alberta.
- You must look at what deductions are being taken from the wage earner when determining a
  minimum wage rate. After 1997 Employment Insurance was deducted on every dollar
  earned. In 1990 Income Tax was based on the 3 different tax brackets. Canada Pension is
  deducted on every dollar earned.
- A person requires a minimum of a \$1000 to \$1200 a month to survive on.
- Minimum wage could be at a different rate sectorally or regionally.
- To determine a decent minimum wage you have to look at what the wage earner has left at the end of the day when user fees and transportation costs and other such things are deducted from their pay.
- Minimum wage does not recognize advanced skills.
- If the average wage was equated to minimum wage, the minimum wage today should actually be \$6.45 an hour not \$5.00. Increases should be greater than \$6.45.
- \$7 \$8 an hour for security guards because of the dangers in the work.
- \$1000 \$1200 a month (\$5.25 \$6.35).
- \$6 an hour.



- The minimum wage in 1977 was \$3 an hour. In 1997 it is \$5 an hour. In 1998 dollars this should be \$8 an hour. \$8 an hour would stimulate the economy, wouldn't make less jobs and wouldn't put companies out of business.
- \$6 plus.
- Index minimum wage on the average wage earned in Alberta.
- Review to average industrial index.



#### 3. EMPLOYMENT OF ADOLESCENTS AND YOUNG PERSONS DISCUSSIONS

- There should be no restrictions on youths working.
- Youth employment could be considered as an entry level into the workforce but after a short period of time the wage rate should increase because of improved skill level.
- Under 12 years of age no work.
- The 15 year restriction in the Regulation now should be increased to 16 years to coincide with the age that youth can leave school.
- Three categories of youth:
- under 12
- 12 years to 16 years
- 16 to 18 years.
- 13 and 14 year old are not as productive as 16 to 18 year old.



#### 4. OTHER EMPLOYMENT STANDARDS CONCERNS

The participants raised other employment standards concerns but they related to other sections of the Regulation or related to the Code. It was requested that these concerns be considered when a further review is done.

#### Regulation

- The definition of "domestic" must be reviewed. Health care workers should not fall under domestic employment and should have the full protection of the Code. The Government selfmanaged care program has resulted in a large volume of care givers to be classified under domestic employment. Pay for health care workers should be based on experience, credentials and special training and not on a definition.
- Review of all current exemptions and insert sunset clause.

#### Code

- · More rest between shifts.
- Working less than 24 consecutive days or enforcing the 24 days currently in the Code.
- More protection for employees regarding work periods and rest periods, it avoids stress or being burned- out. This is a concern in the security field and health care field.
- Coffee breaks should be paid for. Employees avoid taking coffee breaks so that they don't
  receive a reduced earnings but the working with no breaks is unsafe around machinery and
  can cause stress.
- The Code should restrict work to 12 hours only.
- The 24 consecutive days of work should be 18 or 21.
- Ethical Board to review labour conditions as a whole.







# Alberta Labour

# Employment Standards Regulation Review Discussion Group Summary Report

Camrose, Alberta May 20, 1998

PREPARED BY:

Sandra Baird, Recorder Nick Frans, Recorder



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#### **EXECUTIVE SUMMARY**

Alberta Labour is in the process of conducting a public review of the Employment Standards Regulation. The Regulation allows for special provisions and exemptions from the Employment Standards Code, which itself is not under review at the present time.

#### Minimum Wage

- In discussing adjustment to the minimum wage the following points received support:
  - Small business operations are very sensitive to, and most likely to be impacted by a change to the minimum wage.
  - Change in the minimum wage should be implemented so as to have as little impact as possible on business operations, especially small business.
  - Participants were cautious in expressing opinions on the amount by which the minimum wage should be increased.
  - No one disputed in any serious way the appropriateness of an increase in the minimum wage.
- There was an extended discussion on the need for a student differential in the minimum wage. While there was strong argument put forward in support of eliminating the differential, there was no consensus on the matter.
- There was some support expressed for the concept of an "entry level" or "training rate" that would replace the student rate and apply in situations where inexperienced employees start a new job. This rate would be time-limited.

## **Adolescents and Young Persons**

- Concern was expressed for the safety of young persons working and appropriate supervision at all times was deemed to be important.
- As school hours are becoming more flexible to accommodate the workforce, the Government should be careful specifying specific hours of work for students.



#### 1. INTRODUCTION

Alberta Labour is in the process of conducting a public review of the Employment Standards Regulation. The Regulation allows for special provisions and exemptions from the Employment Standards Code, which itself is not under review at the present time.

A focus group, randomly selected from submissions received by Alberta Labour, met in Camrose on May 20, 1998 to discuss two sections of the Employment Standards Regulation, namely Minimum Wage and Employment of Adolescents and Young Persons. The focus group consisted of a wide range of interests such as:

- employers
- youth
- adult employees affected by minimum wage
- social organizations
- employee organizations
- employer organizations



#### 2. MINIMUM WAGE DISCUSSION

#### 2.1 Raising or Lowering Minimum Wage

- 1. Youth, women and part-time employees are particularly affected by the minimum wage.
  - Minimum wage is very important for part-time workers. Many youth work for minimum wage.
  - Two groups consistently affected by the minimum wage are youth and women. We want them to get experience but the minimum wage jobs are designed simply to be minimum wage jobs and there is little or no opportunity to move up.
- 2. There was, particularly from one of the participants, considerable ambiguity with respect to the purpose of the minimum wage.
  - It is unclear what minimum wage really represents. It has no relation to the standard of living because in order to survive one must make more than minimum wage. Because it is unclear what minimum wage represents, it is difficult to determine what it should be.
  - A lower minimum wage would enable the hiring of less productive persons and therefore increase employment. As an academic, I am usually challenged by my students for putting forward this position.
  - There is symbolic importance in the minimum wage (optics). We know from many studies that small changes to the minimum wage have virtually no impact on employment.
  - The level of the minimum wage is not connected to the standard of living. It does not provide even a poverty standard of living.
- 3. Small business operations are also very sensitive to, and most likely to be impacted by a change to the minimum wage.
  - Since in small centres such as Camrose small business is the main employer of lower wage employees, it is small business that is usually most affected by minimum wage changes.
  - Minimum wage is very important even though it may be that overall there may be relatively few precisely at that rate. In Camrose, for example, wages tend to be either at professional levels or near the minimum wage.
  - Think of the small employers in small towns who can only survive if the minimum wage is relatively low.



- 4. There was concern that any change in the minimum wage be implemented so as to have as little impact as possible on business operations, especially small business.
  - If minimum wage is raised, one must look at the impact on small business.
  - Employers must be given lead time to prepare for the raise in wages. We must know the implications of an increase.
  - If minimum wage is raised to \$7.00 it should be increased incrementally over the next few years.
- 5. There was some discussion on the effect of lowering the minimum wage.
  - The minimum wage should be lowered to allow business to hire individuals whose productivity is less than \$5.00 per hour of work.
  - If minimum wage were lowered, employers will pay the lowest allowable amount and take advantage of employees. This, in turn, will pull down an employee's self-esteem and reduce pride in work with attendant reduction in productivity.
- 6. A number of arguments were presented in favour of increasing the minimum wage.
  - It is not true that there are very few people affected by the minimum wage. Employers like McDonalds rely on it exclusively.
  - Minimum wage is important in giving people a sense of pride in work. This might well be absent if this rate is too low.
  - Basic minimum wage should be higher.
  - Minimum wage is not enough to finance post-secondary education. The current low level is not enough to create pride in work especially if the employee is kept at the minimum wage for an extended period of time.
  - We need a higher minimum wage but the size of the increase needs to be carefully considered. If it is set too high, certain jobs that are only worth a low wage will be lost.
  - Small changes in minimum wage have virtually no affect on the employment rate.
  - If we are among the top three richest provinces, we should be in the top three for the minimum wage.



- 7. Participants were cautious in expressing opinions on the amount by which the minimum wage should be increased.
  - Any increase should be slow indexing would help there. Continuous gradual increase rather than sudden jumps. Better for employers.
  - Should not be such a large differential among minimum wage rates in Canada.
  - Maybe there is a danger in having too high a minimum wage if people are expecting to get a higher wage with no requirement to perform.
- 8. A suggestion was put forward that the minimum wage be systematically adjusted with the cost of living.
  - Minimum wage should be indexed with inflation.

#### 2.2 Student Minimum Wage Differential

- 1. Many comments supported the removal of the current minimum wage differential for students.
  - You should not get paid less for doing the same job just because of your age.
  - The differential creates age discrimination.
  - At my place of employment there is a training period and then everyone gets the same wage. Pay is based on an ability to do the job, not age. Students fill important positions for full-time persons on vacations, on illness leave, etc. When they work they are treated as adults and consequently act as such.
  - Issues of personal status should not be raised with respect to employment of those under 18
    years of age.
  - Equal work should result in equal pay regardless of the age of the employee or whether the employee is a student.
  - Youth need to save money for education and rent, it is no longer appropriate to suggest that a youth has lesser financial responsibilities than an adult.
  - If there is a minimum wage differential, employers will pay the lower rate and this will hold back youth.



- It is not fair that youth are paid less for the same job. After two years at my job I am now earning \$5.00 after starting at \$4.50.
- I started working when I was 14, and now I am 15 and I am as responsible as those over 18, therefore I should receive the same pay.
- Fifty cents an hour is not going to keep anyone from staying in school. To pay less to those under 18 on the basis of inexperience does not make sense as there are people of 40 who lack experience. It should not be an age issue.
- There was a comment that the total pay package should be taken into account. Since students can not work very many hours, is that not a case for increasing the student rate?
- Going to university is a very expensive proposition. The idea of \$40 to \$50 thousand debt on graduation is not at all appealing.
- Working takes up a lot of a student's life in order to enable the student to attend postsecondary school without facing huge debts.
- Students have virtually no opportunity to move out of minimum wage jobs while they are attending school. If you start at 14 that means you face 4 to 5 years of low minimum wage.
- 2. Others had reservations about eliminating the differential.
  - A person over 18 tends to live on their own and support a family, therefore this justifies a difference.
  - Those under 18 need more supervision.
  - If the differential is removed, this will act as a disincentive to hiring youth because employers will seek out more mature adults.
  - A differential keeps youth in school.
  - A differential is acceptable because one does not expect the same level of responsibility from those under 18 as is expected of those over 18.
  - Employers want the differential because it enables them to keep costs down. If the minimum wage were the same, the incentive for the employer would be to hire older people.
  - A lower youth or student rate is OK but it should be time limited.



- For entry level into jobs it is appropriate to have a lower wage. Work in high school should be for gaining experience. You have the rest of your life to work.
- Youth unemployment is related to the minimum wage level. If the youth differential were increased we could expect youth employment to increase.
- 3. Some alternatives to the "student wage differential" were put forward.
  - There should be a lower wage for a "training period" so that when an individual learns their job the higher minimum rate would be received. This way there would be no discrimination based on age.
  - At age 16 an individual can drop out of school, therefore once one reaches 16 years of age, they should be entitled to the adult minimum wage.
  - Consider the possibility of eliminating the current student differential but create a timelimited training rate that is lower than current youth minimum wage.
  - A lower entry level rate is likely to open up positions for those with lower productivity, but the rate should be increased fairly rapidly once the job is learned.

#### 3. EMPLOYMENT OF ADOLESCENTS AND YOUNG PERSONS DISCUSSION

- Adult supervision should be mandatory for those under 18 years of age.
- It makes for a better worker in the future.
- No one should work alone at any time, especially between midnight and 6 a.m.
- Kids under 16 should be prohibited from working during school hours. This will encourage them to stay in school.
- However, school hours are becoming more flexible to accommodate the workforce, therefore the Government should be careful specifying specific hours of work for students.



#### 4. OTHER EMPLOYMENT STANDARDS CONCERNS

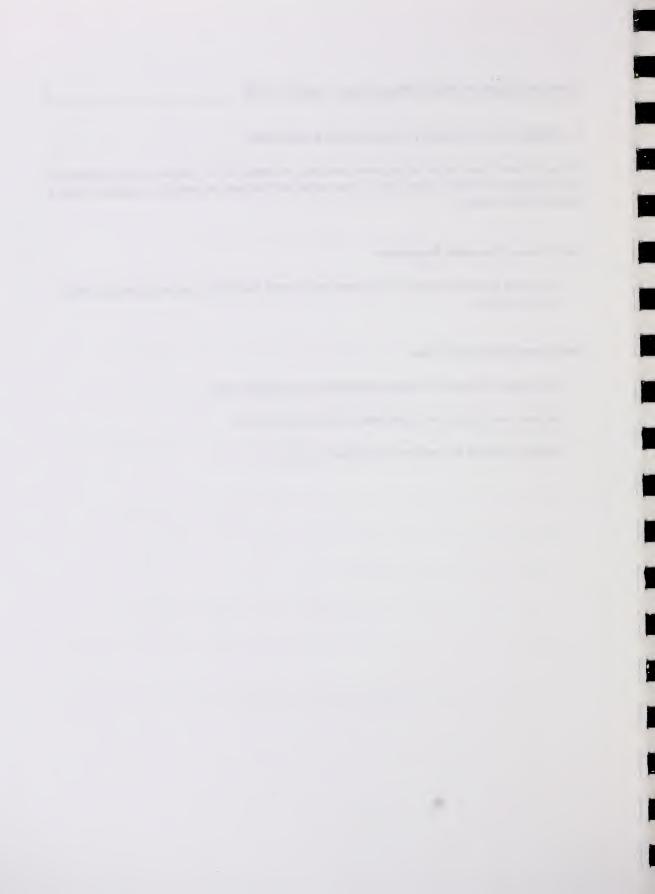
The participants raised other employment standards concerns but they related to other sections of the Regulation or related to the Code. It was requested that these concerns be considered when a further review is done.

# **Employment Standards Regulation**

• Everybody should be subject to the same employment standards rules, particularly in terms of hours of work.

### **Employment Standards Code**

- The workforce needs to be better educated on employment rules.
- Require more aggressive enforcement of employment rules.
- Tougher penalties for employers who don't comply.







# The Alberta Federation of Labour

**Submission** 

to the

Honourable Murray Smith, Minister of Labour

on

**Alberta Labour Standards Regulation** 



Edmonton, Alberta

April 7, 1998



The Alberta Federation of Labour is pleased to have the opportunity to express its views on Alberta's Employment Standards Regulations. The Regulations, along with the Employment Standards Code itself, provide the most basic workplace protection for most Alberta workers.

The Alberta Federation of Labour directly represents the interests of 115,000 Alberta workers and their families in this matter. Our affiliated unions represent workers from across the Province in the industrial, service, public and construction sectors.

From its inception in 1912, the AFL has also attempted to represent the interests of all workers on basic workplace issues. We have done so because unorganized workers, by definition, have no institution to express their collective voice on the most basic issues effecting them.

While we are pleased to present this brief on Employment Standards Regulations, the Federation has been maintaining for many years that a complete review of the Employment Standards Code is also long overdue.

In essence, the Regulations - with the exception of minimum wage provisions - do not deal with the most critical areas of workers rights covered under employment standards. Instead, they provide various exceptions to basic workers' rights.

This brief will be presented in four sections. First there will be a preliminary discussion about the process and intent of the review process, followed by a section dealing with the minimum wage debate, an examination of the regulations themselves, and finally, a brief look at the reasons why we believe the review process must be expanded to deal with the Employment Standards Code itself.



# Part I The Review Process

The regulation and enforcement of employment standards is incredibly important to the seventy-five per cent [1,125,000] of Albertans who do not have union representation at work. Employment Standards provides not just the 'floor of rights' for these people - it is often the only significant legal protection of their rights.

Consequently, any legitimate review of the Code or Regulations must find ways of soliciting and recording these people's opinions and experiences. They are, after all, the very people the legislation is supposed to protect.

The problem with the government's current review is that it does not provide a forum for discussion and debate by the very people whose voice must be heard in the process.

A critical factor to consider when dealing with legislation effecting unorganized workers is the nature of the employment relationship itself. The contract of employment at common law delineates a relationship of power and control - where employers have nearly unlimited control over workers whose fundamental legal obligation is obedience. Increasingly, employment has become insecure for workers - with more and more temporary, term, and part-time work. Employees can be, and are dismissed without cause - with no substantial legal protection.

The vulnerability of workers to employer reprisal makes it unlikely that they will expose themselves by speaking out on working conditions without a strong effort by government to provide them with a safe forum and guarantees of immunity.

Unfortunately, the current review process does not provides a forum for workers, nor does it solicit their opinion in any meaningful way. The questionnaire is a flawed document that, by the phrasing of its questions, directs discussion instead of encouraging broad input. The question of what is actually happening in Alberta's workplaces is not asked - and a rather questionable



assumption that the regulations in question are actually obeyed underlies the document.

Critically, it was not widely distributed nor advertised. Surely a review of fundamental workplace rights is at least as important to Albertans as the national unity question. The government mailed out questionnaires to every household on the unity issue and actively advertised the process. But, for a review of legislation vitally important to the everyday life of over a million Albertans, citizens have to first find out about the review and secondly, find out where to get the questionnaire and how to get a copy sent to them.

The consequences of the process are likely to be a badly skewed analysis because employers and their organizations will organize a unified response that returns many questionnaires. But the unorganized workers whose fate is being decided will be badly under-represented. Likely, the response of organized labour in briefs like this will be the only substantial reply from working Albertans.

The underlying problem in the whole process is a consequence of the reason the government is undertaking the review in the first place. It is simply part of the government's regulatory reform process that has, as its stated objective the elimination of as many regulations as possible. So, instead of being driven by concern about what is occurring in Alberta's workplaces and about whether or not the rights of Alberta workers are being adequately protected - the review is aimed at meeting the demand of employers that government regulation be minimized.

The Alberta Federation of Labour strongly urges the Minister of Labour to reconsider the entire process. Yes, Employment Standards Regulations need to be reviewed. and so does the Employment Standards Code. But, the review must be focused on soliciting input from workers effected by the legislation - and that calls for a broader, more inclusive process that would include public forums and other broad fact-finding and investigative initiatives by a government task force with appointed representatives from business, labour and social organizations.



## Part II The Minimum Wage Debate

#### A) Should Alberta have a minimum wage?

The only substantial workers' right contained in the Employment Standards Regulations (as opposed to the Code) sets out Alberta's minimum wage provisions. The unfortunate bias of the questionnaire is revealed clearly in the section dealing with minimum wage. It asks whether or not Alberta should even have a minimum wage, and provides a space for explaining the reasons why we should not have a minimum wage. But it provides no opportunity to explain why we should have a minimum wage!

However there are many critical reasons why Alberta must have a minimum wage. If you simply examine the historic reasons for the enactment of minimum wage, you will find that they are as relevant today as they were during the original minimum wage debates one hundred years ago.

#### 1. To ensure that all workers receive a living wage.

There is a firm belief among Albertans that any individual who works full-time at a job should not have to live in poverty. This is a social principle that virtually all Canadians endorse. A productive, fully-employed citizen must have the financial power and leisure time to enjoy the full range of benefits of our society. That is why the AFL has always maintained that the minimum wage should be directly linked to the poverty line for a single unattached individual. Other employment standards on worktime, holidays and vacations are also directly related to this principle.

#### 2. To eliminate the sweating or exploitation of labour.

The labour market - like all market mechanisms - does not have a social conscience. If some employers can hire people for subhuman wages, they will. Without a minimum wage, there is a certainty that some employers would pay Albertans a fraction of the real value of their labour and leave them destitute while supposedly gainfully employed.



A quick examination of the seven American states which have no minimum wage laws will support this premise - as will any accurate historical study of Canadian wages prior to the enactment of minimum wage laws. There are full-time workers in Florida (one of the seven states with no minimum wage) earning as little as 50 cents per hour. Among the others, Alabama ranks 49th in personal income, and Arizona ranks 46th. Louisiana has the highest poverty rate in the U.S., Mississippi has the second highest, and South Carolina 7th highest. Tennessee has the highest business bankruptcy rate in the U.S.

This is not the kind of society Albertans want.

#### 3. To prevent unfair wage competition among employers.

The absence of a minimum wage actually forces employers to compete with each other on wage levels. If a competitor succeeds in driving down wages, all other employers must follow suit in order to remain competitive. This 'race to the bottom' is institutionalized if there is no minimum wage legislation.

## 4. To increase firms' productivity and efficiency, thus contributing to economic growth.

By maintaining a high wage level, minimum wage provides incentives for employers to manage their human and other resources more efficiently - and leads to a healthier economic environment.

#### 5. To reduce poverty.

The reduction of poverty is, in itself, a defensible and ethical social objective. Minimum wage provisions are one of the few effective public policy mechanisms outside of social welfare for distributing income to the poor. Such mechanisms support the entire provincial economy by bolstering consumer spending. A realistic minimum wage will also reduce provincial expenditures on social services.



#### B) Is Alberta's current minimum wage adequate?

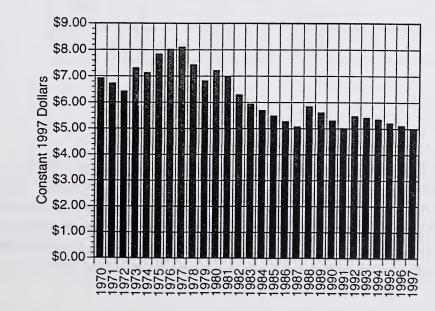
Our contention is that Alberta's minimum wage levels are woefully inadequate. Not only is Alberta's minimum wage now the lowest in Canada, but it has not been raised in the past six years.

The one thing that government must be clear about is the intention or purpose of minimum wage legislation. It is intended to protect workers, plain and simple. If, as we contend, minimum wage should guarantee that a single self-supporting individual working full-time should not live in poverty, then the minimum wage for Alberta should be \$7.85 per hour today. This is based upon the National Council of Welfare estimates for the poverty line for single individuals residing in Edmonton and Calgary in 1997 (\$16,318 per year).

This sounds extreme, but it is in line with the real minimum wage in effect in Alberta under the current ruling party. The 1977 Alberta minimum wage was \$3.00 per hour. In 1997 dollars, that is the equivalent of slightly more than \$8.00 per hour today!

## Alberta Real Minimum Wages, 1970-1997

(Expressed in 1997 Constant Dollars)





Constant Dollar Minimum Wage, Alberta, 1970-97				
		CPI	Min Wage	
Year	Min Wage	(1986=100)	(1997 \$)	
1970	\$1.55	31	\$6.92	
1971	\$1.55	31.9	\$6.72	
1972	\$1.55	33.4	\$6.42	
1973	\$1.90	36	\$7.30	
1974	\$2.00	38.9	\$7.12	
1975	\$2.50	44.2	\$7.83	
1976	\$2.75	47.5	\$8.01	
1977	\$3.00	51.3	\$8.09	
1978	\$3.00	55.9	\$7.43	
1979	\$3.00	61	\$6.81	
1980	\$3.50	67.2	\$7.21	
1981	\$3.80	75.5	\$6.97	
1982	\$3.80	83.7	\$6.28	
1983	\$3.80	88.5	\$5.94	
1984	\$3.80	92.4	\$5.69	
1985	\$3.80	96	\$5.48	
1986	\$3.80	100	\$5.26	
1987	\$3.80	104	\$5.06	
1988	\$4.50	106.8	\$5.83	
1989	\$4.50	111.3	\$5.60	
1990	\$4.50	117.7	\$5.29	-
1991	\$4.50	124.6	\$5.00	
1992	\$5.00	126.4	\$5.47	
1993	\$5.00	127.9	\$5.41	
1994	\$5.00	129.7	\$5.34	
1995	\$5.00	132.7	\$5.21	
1996	\$5.00	135.6	\$5.10	
1997	\$5.00	138.4	\$5.00	

In other words, had the government followed the recommendation to index the minimum wage to inflation, that the Alberta Federation of Labour has made time and time again, our minimum wage would have slowly risen to about the \$8.00 per hour mark without any huge dislocation for employers. By allowing the real minimum wage to steadily decline over the past twenty years, the government has basically insured that it will face a fierce business lobby to



maintain the minimum wage far below its previous, barely adequate 1977 standard.

Although comparatively few Albertans actually work at minimum wage, about 3% according to the government's own discussion paper from 1991 - a much larger proportion work near minimum wage. Minimum wage is also very much a gender issue. At 60%, women make up a disproportionate amount of minimum wage workers - and quite likely of the near minimum wage workers as well. Considering that women also make up the vast majority of part-time wage earners, it is understandable why women's organizations are so active on minimum wage issues.

Finally, the Federation believes that there should be no separate, lower minimum wage for youth. There are many reasons to hire young workers - they are available, they are young and energetic, they are easily trained - without having to subsidize employers with cheap labour. Many other provinces do not have a separate minimum wage standard for youth - Alberta should join them.

#### What about the arguments against raising the minimum wage?

#### 1. Job loss

The business community has historically greeted both the introduction of minimum wage legislation and proposals to raise the minimum wage with dire threats of job loss for minimum wage workers.

However, the latest and most accurate study of the effects of raising minimum wage contradict the business contention. Simple repetition of belief does not change empirical facts.

Professors Card and Kreuger from Princeton University are the authors of the most recent and exhaustive analysis of the effects of raising minimum wage. Their book, Myth and Measurement: the New Economics of the Minimum Wage, completely dispels the contention that raising minimum wage results in job losses - in either the short or long run.



They found that raising the minimum wage has two main effects. First, it actually increases employment in minimum wage jobs! Secondly, it redistributes wealth to the lowest income earners. They found that when minimum wage was increased, so did the wages of all those people working near minimum wage (within \$1.00 per hour of the minimum wage). In other words, those employers who paid slightly more than minimum wage had good reasons for doing so (attracting and keeping good workers), and that they would continue to ensure that their wage levels maintained their previous relationship to the minimum wage.

Thus, raising minimum wage increased the buying power of virtually all low wage earners through a sort of domino effect. This results in increased spending and a slight rise in demand for the work performed by minimum wage workers.

It is important to note that Professors Card and Kreuger painstakingly reanalysed the data used in all previous studies of minimum wage - including Canadian studies - and, using today's more sophisticated statistical and economic methodologies, found that all of them corroborate their findings.

### 2. The Alberta Advantage

This argument suggests that we should factor in the lower taxes that Albertans pay in any calculation of minimum wage.

There are two problems with this argument. First, it misrepresents the tax situation of the lower tax brackets where all minimum and near minimum wage earners exist.

For a single tax-payer with one dependent who earns \$75,000 or more, Alberta does indeed have the lowest tax rate in Canada. But, for a single tax-payer with one dependent who earns \$20,000 or less per year, Alberta ranks sixth in taxes paid - behind Quebec, Ontario, Manitoba, BC, and Nova Scotia. (source: Canadian Tax Foundation. *Finances of the Nation 1996*, Table 3.18).



Secondly, the actual cost of living as measured by the CPI is higher in Alberta than in most other provinces. In January 1998, only Manitoba and Saskatchewan had a higher CPI index than Alberta's 110.0 - and Saskatchewan was only marginally higher at 110.8. Minimum wage levels must be related to actual cost-of-living.

The Alberta Federation of Labour's position on minimum wage is unequivocal. A minimum wage is essential for Alberta. It should be related to the poverty line for single unattached individuals. It should be immediately raised to \$7.85 per hour. It should be indexed to inflation so that this situation does not reoccur.

# Part III An Analyses of Labour Standards Regulations under Review

#### A) Exemptions and variances from employment standards

Most of the regulations currently being studied under this review are exemptions from core employment standards contained in the Employment Standards Code. Some of these apply to categories of employees and others apply to specific industries.

It is the position of the Alberta Federation of Labour that there should be no exemptions from the basic 'floor-of-rights' established by the Employment Standards Code. Every exemption granted weakens that floor-of-rights - not just for the workers directly affected, but for all Albertans in the work force. Exemptions create an inequality of rights that arbitrarily alters the labour market in favour of employers.

For example, under the existing regulations, travelling salespersons are exempt from provisions of the Code governing hours of work, statutory holidays, vacations and vacation pay.



Other groups of workers -- including, realtors, securities salespersons and insurance salespersons -- are also excluded from these provisions, as well as provisions regarding the minimum wage. Automotive, RV, mobile home, farm machinery and construction equipment salespersons are exempt from provisions governing hours of work, overtime, and statutory holiday provisions. Commercial agents and sellers of new homes for a builder are exempt from hours of work, overtime and statutory holidays only.

It is the AFL's position that none of these salespersons should be exempt from any provisions of the Employment Standards Code. You only have to look at the average weekly earnings of these people to see the problem. In 1996, Alberta real estate salespersons averaged \$297.38 per week - about \$15,600 per year. Insurance salespersons averaged about the same at about \$16,500 per year. With no regulation, there is no limit upon the amount of hours these people have to work. They get no overtime or holidays or vacations. What possible rationale is there for these exclusions?

Another category of exemptions applies to professionals (architects, engineers, accountants, dentists, lawyers, optometrists, veterinarians, and surprisingly, licensed land agents), managers, supervisors, and those employed in a "confidential capacity." These workers are exempt from provisions of the Code governing hours of work and overtime premium provisions.

Now, for the self-employed professional, there is at least some reason for the exemption. After all, if you want to work yourself into the ground, that is your prerogative. But, for professionals employed by someone else, for managers and supervisors, and particularly for those employed in a 'confidential capacity', this is an absurd exemption.

The regulations regarding hours of work and overtime premiums are meant to discourage employers from working people excessive hours. It is a matter of social values. Working people need time for their families and for their own lives away from the job. Why should these people in particular be singled out for more onerous working conditions?



Another group of workers currently exempted from basic workplace protections are domestic workers. Domestic workers are exempted from minimum wage protection, hours of work and overtime provisions, and regulation regarding statutory holidays. The upshot? The wages and working conditions are so poor for domestics that they are normally recruited from the Caribbean and East Asian areas because Canadians won't work under those conditions. This exclusion is a carry over from the days when the economic elite all had domestic servants — and they didn't want to pay them a fair wage. There is no excuse for it today.

Finally, students in approved work experience programs are exempt from minimum wage provisions. But virtually every employer already accounts for training new workers with a start rate\job rate wage differential. Why should a youth get any less than an inexperienced adult?

After looking at all of these exemptions, we at the Alberta Federation of Labour can find no good reason for any of them. If the government really wants to improve the protections available to Albertans in the workplace, they should eliminate ALL of the exemptions as soon as possible.

The same rationale holds true for the many variances from the Code. There are nine broad 'variances' from specific requirements of the Code. These apply to ambulance drivers and attendants; field services; highway and railway construction and brush clearing; irrigation ditch workers; nursery industry workers; oil-well servicing; the taxi industry; the trucking industry; and the construction industry.

Virtually all of these are broad exemptions from hours of work and overtime provisions -- and virtually all of them are unnecessary. Particularly objectionable is the oil-well servicing variance. Workers in this industry don't begin collecting overtime until they have worked 12 hours in a day. Permits allow up to 12 hours work per 24 hour period - however the eight hour rest period is not necessarily in one continuous period.



These kind of 'variances' allow employers to work their employee for ridiculously long periods without breaks or time off. It is our belief that the current system has contributed to many fatigue-related accidents.

Further, we understand that some greenhouse operations are bringing in immigrant labour from Mexico because they cannot get Albertans to work under the wage and working conditions these employers provide. Could there be any stronger proof that such variances do not meet the social and community standards of our Province?

The government must answer the basic question: what kind of standard is being set if every employer or industry that applies for a variance gets one? The function of overtime premiums and hours of work regulations and minimum wage provisions is to ensure that Albertans earn enough money to enjoy the benefits of citizenship and have sufficient leisure time to enjoy them. Further, maximum hours of work and required rest times are issues in workers' health and safety and, in certain cases, of public safety as well.

Like the various occupational exemptions, these variances should be eliminated. Employers in these industries should meet the same standards and exist on the same level playing field as every other employer in the province. For a government that wants to eliminate unnecessary regulation and red tape, this would be an ideal place to start. If all employers have to follow the same basic rules, without exception, it would create a more just labour market for workers and employers alike.

#### B) Other regulations

#### 1. Minimum hours worked

Current regulations require an employer to pay for a minimum of three hours if an employee is called in to work (two hours for youth), regardless of hours actually worked. The idea here is basically sound — it discourages employers from providing inadequate hours of work. However, given the appalling increase in part-time work, and the practice of some employers of carrying the maximum number of part-time workers in an effort to avoid paying



benefits to full-timers, there may be good reason to increase the minimum work time to four hours. It would also be advisable to get rid of the arbitrary and offensive youth minimum wage differential.

#### 2. Deductions for room and board, meals, uniforms, etc.

Employers are currently allowed to deduct specific amounts for any of the above provisions. If minimum wage was increased to the level of a living wage, then these might be appropriately revised to reflect true costs.

#### 3. Employment of persons under the age of 18

The current regulations restrict the hours and type of work in which youth (age 15-17 years old) and adolescents (age 12-14 years old) can be employed. Adolescents can only work two hours per day on a school day and eight hours per day on other days. They may not work between 9:00 pm and 6:00 am, and are restricted to delivery of retail wares, newspapers, flyers etc., clerk, and messenger positions. Youth may work any job, but are restricted in the kind of work they can do in the late evening and early morning hours. By inference, children under the age of twelve may not be employed.

Are these restrictions appropriate? Yes, as a minimum. It is hard to justify having children under the age of 15 working at all. They must be in school during the week. They are in a real sense already putting in a seven hour day. That so many Alberta school age children are forced by economic circumstance to work part-time jobs is no credit to our society.

The safeguards for 15 to 18 year olds are appropriate. In fact, the prohibitions against working alone late at night are appropriate for all workers. The Alberta Federation of Labour has asked for a ban on working alone for many years. Yet it is only when such workers make the headlines through assaults that the issue gets attention.



#### 4. Fees for services and recovery of costs

The existing regulations set out fees and recovery of costs that are assessed against employers to recover the costs of audits and collections of monies owed to workers. This is entirely appropriate, and may serve as a deterrent for employers. However, substantially stiffer penalties - particularly for repeat offenders - may reduce the willingness of unscrupulous employers to abuse their employees.

It is important to voice here our concern about the potential use of this regulation to farm out audits and collections to private firms or individuals - with the offending employer to pick up the costs. We strongly believe that enforcement of the law is a public matter that must be handled by public employees acting as official representatives of the government. Private sector intrusion into law enforcement would create far too many accountability, liability, and ethical problems to be either worthwhile or effective.

## Part IV The Need for a Review of the Employment Standards Code

There is a real need for a review of employment standards that goes far beyond the current narrow focus on employment standards regulations.

Employment standards are meant to reflect and enforce our society's standards in the work place. We need to determine if the various employment standards relating to minimum and maximum hours of work, overtime premiums, statutory holidays and vacations meet the needs and expectations of Albertans today.

Given the remarkable increase in non-traditional employment we must ask ourselves if the old standards are providing adequate protection to workers any more. Part-time and term work are becoming more and more dominant, and piece-work and homework are growing as a consequence of new information and communication technologies. Do current employment standards adequately



protect these workers? We suggest not, and the initiatives in other jurisdictions to pro-rate benefits and enact other protections provides us with some justification for this belief.

Regardless of the final conclusion, Alberta would be remiss if it did not at least strike the broad task force the AFL is calling for to examine these and other pressing workers' rights issues.

But the most critical reason for a review of the Code itself lies in the area of enforcing compliance with employment standards and regulations. The Alberta Federation of Labour has been critical of the enforcement procedures in employment standards for many years.

First, there is a real problem with compliance. Several American and one Ontario study indicate that compliance with employment standards legislation is below 65%. That is simply unacceptable.

One of the real problems in Alberta is that a worker who believes that their rights are violated must expose themselves to the employer in the process of attaining redress. Given that the kind of employer who would knowingly violate an employee's fundamental rights is also likely the kind of employer who would take punitive action - most often dismissal - against anyone who complained, and the problem becomes obvious.

The AFL suggests that the entire Code and regulations be subjected to a far more thorough and public review process with the express intention of creating a more effective and just system of employment standards in Alberta.



## Summary

The Alberta Federation of Labour strongly recommends that a task force made up of government, business, labour and social organizations be struck to review labour standards.

The mandate of this task force should include the ability to conduct independent research and to hold public meetings in an effort to update and streamline all employment standards legislation in Alberta.

Particular attention should be paid to the objective of creating an effective system of enforcement that does not put individual workers at risk.

In the meantime, the AFL urges the government to immediately raise the minimum wage to a level that will maintain a single self-supporting person above the poverty line, and that the rate then be indexed annually to inflation.

The Federation recommends that a uniform minimum wage for all workers be immediately set at \$7.85 per hour.

Finally, the Federation recommends that all of the exemptions and variances to basic employment standards be revoked in order to create a more fair and just labour market in Alberta.

Respectfully submitted,

ALBERTA FEDERATION OF LABOUR-

**EXECUTIVE COUNCIL** 

Audrey Cormack, President Les Steel, Secretary Treasurer Brenda Brooke, IAFF Jacqueline DeVooght, OTEU 15 Howard Ellis-Toddington, IAM 1579 John Ewasiw, UFCW 312A Doug Faucher, CAW 1085



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## **SUBMISSION**

TO

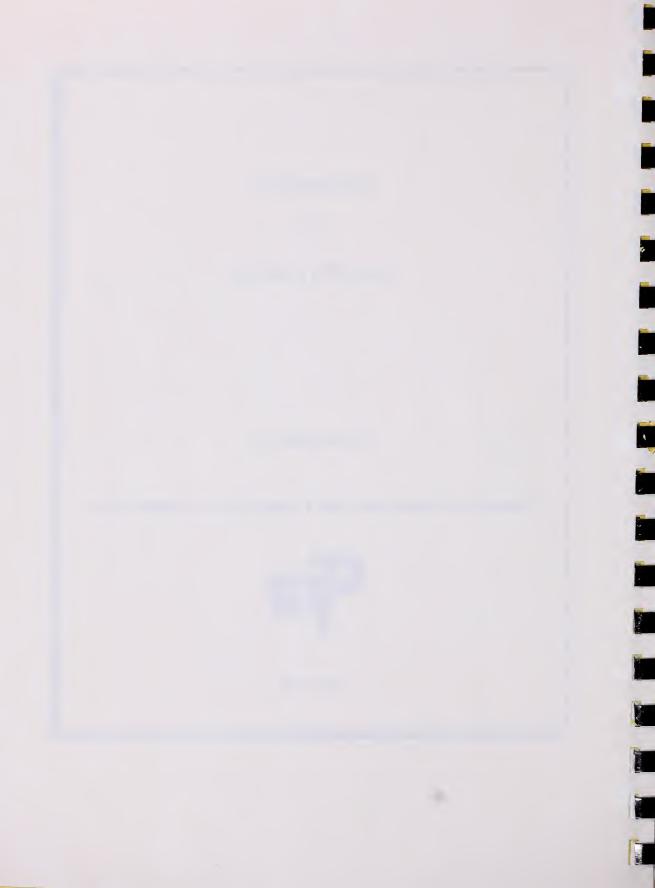
## ALBERTA LABOUR

Submitted by

Canadian Restaurant and Foodservices Association



April 1998



## **EXECUTIVE SUMMARY**

In late 1997, it was announced that Alberta Labour would be undertaking a review and public consultations on the province's employment standards regulations including minimum wage. As minimum wage has the potential to dramatically effect foodservice industry employment in the province, the Canadian Restaurant and Foodservices Association (CRFA) appreciates the opportunity to provide an industry perspective on this issue.

The restaurant and foodservices industry is one of the largest private sector employers in the province representing 7% of the province's total employment and is a vital sector of the Alberta economy. The industry provides a wide range of full and part-time job opportunities for Albertans and in particular supports important entry level jobs for women, young people, new Canadians and visible minorities. These entry level jobs are invaluable stepping stones for those entering or reentering the labour force.

A tighter labour market in the province of Alberta has lessened the issue of minimum wage as a hiring constraint for foodservice employers. In fact, Alberta's relaxed minimum wage policy has allowed the wage income of youth to rise. This is due to increased employment for more new wage earners and increased earning growth for these new workers as they gained skills they would not otherwise have been able to obtain.

If minimum wage is raised above the market wage for unskilled workers it will put teenagers, high school drop-outs, and other low skilled workers out of work. If it is maintained below market wage, an argument could be made for its abolishment.

Minimum wage changes have a significant impact on foodservice industry costs which cannot be absorbed or passed on to price-sensitive consumers.

Gratuities account for the largest percentage of earnings of tipped employees. A tip differential should be introduced to preserve jobs and hours of wait staff in liquor licensed restaurants.

The student wage differential should be maintained or increased so that first time entrants to the labour force are not overlooked and denied the opportunity to accumulate basic skills and valuable workplace experience.

CRFA supports the positions taken by Alberta Restaurant & Foodservices Association (ARFA) in answering the Employment Standards Regulation Review Questionnaire.



#### ALBERTA'S FOODSERVICE INDUSTRY

Alberta's \$4 Billion foodservice industry represents 4.4% of the province's GDP and is one of the largest private sector employers in the province. The foodservice industry directly employs 95,000 Albertans. A further 23,000 Albertans are indirectly employed by our industry. The foodservice industry is also a major source of youth and entry level jobs employing 42,000 youths between the ages of 15 and 24, representing 18% of total youth employment in Alberta.

The foodservice industry is comprised of a variety of sectors including liquor licensed restaurants, quick service restaurants, hotel foodservice, take-out, institutional feeders, clubs and caterers. It is dominated by independent, locally owned companies with a high proportion operated by families. It can be found in every community in the province.

Alberta led the country in per capita foodservice sales in 1997 at \$1,384 compared to the industry average of \$1,177 in the rest of the country. Total industry sales in 1997 reached \$4 billion. In real terms this was 5.4% higher than in 1996.

Nevertheless, as in most small businesses, the competition is fierce and the failure rate is high. Foodservice operations are very labour intensive, with labour accounting for the largest proportion of operating costs after food. Employers must have reasonable labour costs in order to set competitive prices and maintain a viable business. Foodservice customers are extremely price-sensitive and profit margins are not large enough to absorb continuing increases in payroll costs.

The foodservice industry pays 25% more tax than the average Canadian industry.

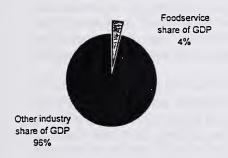
(See attached Alberta Foodservice Industry graphs.)



# Alberta's Foodservice Industry

#### **ANNUAL SALES**

Alberta's \$4 billion foodservice industry represents 4% of GDP and is one of the province's largest private sector employers.



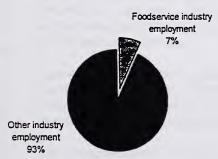
#### OWNERSHIP

Independent restaurants represent 64% of all 5,900 outlets in Alberta.



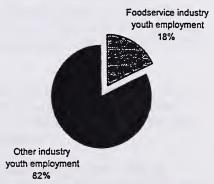
#### **EMPLOYMENT**

A major source of entry-level and part-time jobs, the foodservice industry directly employs 95,000 Albertans representing 7% of the province's total employment. A further 23,000 Albertans are indirectly employed by the foodservice industry.



#### YOUTH EMPLOYMENT

The foodservice industry employs 42,000 youths between the ages of 15 and 24, representing 18% of total youth employment in Alberta and 44% of employment in foodservice.



The foodservice industry pays 25% more tax than the average Canadian industry.

April 1998



# NATURE OF EMPLOYMENT IN ALBERTA'S FOODSERVICE INDUSTRY

Restaurants and foodservice businesses provide a wide range of employment and income to the people of Alberta. Occupations range from owners and entrepreneurs to middle level managers, supervisors and kitchen helpers. Skill levels range from very high for chefs to unskilled dishwashers and bus persons. Wage rates reflect the wide range of occupations.

Alberta's foodservice and accommodation industries combined are the largest employers of part-time workers in the province. Business in the foodservice industry is typified by peaks and valleys with the vast majority of sales occurring during limited meal periods, particularly in the evenings and on week-ends. This happens to coincide with the interests and availability of certain demographic groups such as students, home-makers, post-retirement workers, moonlighters, etc. Many of these people specifically seek part-time employment on evenings and weekends because it suits their availability.

The flexible work arrangements offered by the foodservice industry is appealing to many individuals because it allows them to meet their personal commitments and priorities while earning income. Students in particular benefit from the opportunity to acquire valuable job skills and meet their educational goals simultaneously. As a result, 37.5% of the youth working in the industry in the province are part-time. The industry in total employs 95,000 and 44% of these workers are under the age of 25. This percentage jumps to 78.6% when full-time employees are excluded.

According to Statistics Canada Survey of Labour and Income Dynamics, 36% of foodservice employees in Canada receive minimum wage and 56% of these minimum wage earners also receive tips. For most tipped employees, the lions share of their compensation is derived from gratuities.

The remaining 44% of minimum wage earners are in entry level, unskilled positions. The foodservice industry provides an entry into the workforce, on-the-job skills training and valuable workplace experience for many inexperienced and disadvantaged workers. As their skill levels and productivity increases, their value to the employer increases, and the employer is able to offer more pay. These minimum wage jobs enable workers to gain the experience necessary to progress within the foodservice sector or provide a springboard into the broader labour force.



#### MINIMUM WAGE

The impact of a minimum wage increase on the province's foodservice sector is a primary concern of both the CRFA and the Alberta Restaurant & Foodservices Association (ARFA).

When government increases the minimum wage above the market wage for unskilled workers, foodservice employers have to decide how to assimilate the added cost. Because workers do not suddenly become more productive relative to the increase, employers must pay for the mandated increase by reducing profits, raising prices or cutting jobs.

Because profit margins in the foodservice industry are razor thin, increased costs may force some operators out of business. According to CRFA's 1997 Operations Report labour costs account for 29.5% of expenses in an average operation in Alberta. Because most other operating costs are fixed, controlling labour costs is essential to remaining competitive and viable. A mandated increase often results in a ratchetting up of other wages, causing a rippling effect through the entire operation and increases in payroll taxes such as workers compensation and E.I. The accumulated result is permanent closure for marginal operators which puts many wage earners out of a job. With average profit before taxes of only 8.3%, all operators are forced to reevaluate their staffing levels and often reduce hours or eliminate jobs.

Trying to incorporate the cost of a minimum wage increase in higher prices is also self-defeating because it tends to reduce the demand for the industry's goods and services. Prices are set in very competitive market conditions. If consumers were not resistant to price increases, foodservice operators would already have implemented them to boost their shrinking profit margins.

A quarter century of research studies in Canada and the United States confirm that most firms faced with a mandated increase in minimum wage are forced to cut jobs. The research consensus has been that each 10 per cent hike in the minimum wage results in a 1-2% decline in overall entry level employment.



Some economists argue that a minimum wage increase may actually pull people back into the job market by attracting people unwilling to work at the old wage. U.S. economists Card and Krueger, reached this conclusion from a widely cited study which looked at fast-food employment in New Jersey, where the state minimum wage was raised and Pennsylvania, where it was not. Although the study purported to show that New Jersey's mandated wage hike didn't cost jobs, evidence from Michigan State University and the United States Employment Policies Institute from actual payroll records, indicate the opposite. Because the methodology of the renowned Krueger studies are proving to be deeply flawed, it is imperative that these studies not be used to justify a minimum wage increase.

There is absolutely no empirical evidence to support the view that a higher minimum wage can protect jobs or is an effective way to raise someone out of poverty. It will not help people out of work and it will not help most low income workers. Those who feel minimum wage is a good idea must ask themselves why not impose a \$50 an hour minimum. It is obvious that this would create a lot of potential employees but virtually no employers. There is a mountain of evidence which indicates that increasing the minimum wage puts teen-agers, high school dropouts, immigrants and other low skilled workers out of a job.

- A 1991 University of Toronto study by Cousineau, Tessier and Vaillancourt<sup>V</sup> focused on the impact of the Ontario minimum wage on the unemployment of women and the young. It concluded that a 10 percent increase in the minimum wage would increase the unemployment rate of women by 1.40 percent and the unemployment rate of youth by 1.53%.
- A 1989 Ontario Ministry of Labour study by Dungan and Genderson<sup>VI</sup> used a
  macroeconomics model to determine that a 10 percent increase in the
  minimum wage leads to an increase in the aggregate unemployment rate of
  0.24%. Dungan and Genderson's research found that these job losses
  would be concentrated predominantly in small business establishments and
  in particular the hospitality sector.
- A 1992 Ernst and Young study commissioned by the Hospitality Employment Task Force Which used an econometric model to examine the impact of proposed minimum wage changes on the restaurant industry in Ontario, concluded that increasing minimum wage to 60% of average industrial wage would translate into a 2.5 to 5.7 percent decrease in employment in the foodservice industry. They also concluded that since the foodservice industry employs a disproportionate number of women, youth and uneducated workers, these groups would most likely bear the brunt of the employment reductions.



- A U.S. study on the effects of minimum wage increases by Brown, Gilroy and Kohen VIII, concludes that a 10% increase in the minimum wage reduces total employment 1 to 3 percent.
- In a cross-section study on wages of out-of-school teens and young adults,
   U.S. economists Meyer and Wise<sup>IX</sup>, found that a 10 percent rise in the minimum wage would reduce total employment of this group by an average of 2.2 percent, 1.7 percent for those 20 to 24 and 3.6 percent for teens.
- According to a U.S. study by Robert D. Shriner<sup>X</sup>, the likelihood of unemployment increasing as a result of a minimum wage increase, is related to the current level of unemployment. "The impact on local jobs and workers will generally be less in states with lower existing unemployment and greater in states with higher existing unemployment, where existing job opportunities are insufficient to employ available workers."
- A panel study for the years 1973 to 1989 by Neumark and Wascher (1992) XI indicated that a 10 percent increase in the minimum wage causes a 1 to 2 per cent decline in employment among teenagers and a decline of 1 to 2 per cent in young adult employability.
- A 1995 Ernst & Young British Columbia Minimum Wage Study<sup>XII</sup>
  commissioned by CRFA to measure the impact of two rounds of minimum
  wage increases in that province estimated disemployment effects of 3.3%
  representing 3,200 job losses in the B.C. restaurant industry.
- A 1997 study by Abowd, Kramarz, Lemieus and Margolis Which focused on employment probabilities for those making in and around the minimum wage in United States and France indicated that in France a 1 per cent increase in the minimum wage decreases the employment probability of a young man currently at the minimum wage by 2.5%. In the United States a decrease in the real minimum wage of 1 per cent increased the probability of an unemployed young man being employed by 2.2%.

Most minimum wage earners in the foodservice sector are part-time workers under the age of 25. In most cases it is their first job. They are students, people holding down a second job, or they are supplementing the income of the family's primary earner(s). When forced to cut these jobs, it is the more experienced workers employers keep on, so that students and unskilled workers are denied entry level employment and the opportunity to progress into the broader labour force.

Government can force employers to pay higher wages, but it can't force them to keep workers on the payroll if the higher wages do not represent an increase in productivity.



#### Tipped Wage Differential

An alternative approach to this issue which would allow for a modest increase of no more than twenty-five cents to the general minimum wage would be to introduce a tip differential for employees earning tips or gratuities. Many minimum wage earners in tipped positions earn wages far in excess of the minimum. A comprehensive Ontario study entitled "Tipping Practices in Licensed Establishments in Ontario" sponsored by the Ministry of Labour, the Ministry of Tourism and Recreation, the Ontario Women's Directorate as well as two trade associations and two unions, XIV confirmed that tipped income is significant in the restaurant sector. The study determined that wait staff on average earned \$12.27 per hour and employers and employees agreed that many wait staff earned in excess of anyone else in the establishment including owners.

Focus group sessions with employers and employees indicated concern about the impact of eliminating the tip differential on hours and jobs. Tipped employees clarified that the largest portion of their earnings come from tips. They expressed much more concern about the impact on labour costs and the resulting reduction in hours and tipped income then eagerness about an increase in minimum wage. Neither employers or employees believed that cost increases could be passed on to customers in the form of higher menu prices.

Implementing a tip differential would allow foodservice employers to increase the wages of non-tipped or "back-of-the-house" employees who in some cases earn only slightly more than minimum wage and whose earnings are substantially less than their "front-of-the-house" counterparts earning minimum wage.

#### Student Wage Differential

The associations fully support maintaining and extending the minimum wage differential for students under the age of 18. It provides a small incentive for employers to hire young students and give them their first start in the working world. Without it, more experienced workers could crowd them out, denying them the work history and knowledge they need to advance and leverage a better paying job.

Concerns about violating the age discrimination provisions of the Charter of Rights and Freedoms by maintaining an age differential are unfounded. These age differentials have existed from many years without a challenge as have other age related laws such as CPP deductibility, hours of work, drinking, driving, and age of legal consent.



Employers are encouraged to hire young workers and train them for the workforce if the compensation approach recognizes their lack of workplace skills. As these inexperienced workers progress, learning workplace protocol and skills such as teamwork, punctuality, taking direction, and independent decision-making, their value to the employer increases. The employer is then able to offer more pay.

One of the worst results of increasing the minimum wage is that it robs small business of the ability to create first time job experiences. A student wage differential ensures youth are not locked out of valuable first job experiences and denied the opportunity to save for and contribute to their education.

Entry-levels jobs which introduce students to the world of work, customers, coworkers and managers provide inestimable benefits to students that can never be replicated in the classroom.

#### Employment Standards Regulation Review Questionnaire

The Canadian Restaurant & Foodservices Association (CRFA) fully supports the positions taken by the Alberta Restaurant & Foodservices Association (ARFA) in answering the Employment Standards Regulation Review Questionnaire and therefore does not see a need to duplicate ARFA's efforts. For information on CRFA's response to the questionnaire, please refer to ARFA's position paper answering the questionnaire's questions.



### THE ASSOCIATION

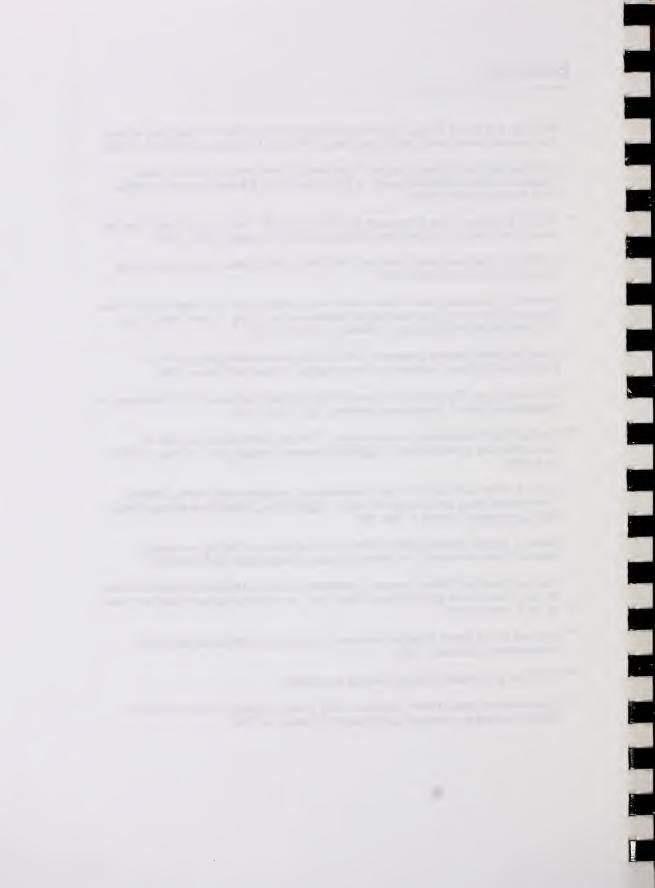
Canadian Restaurant and Foodservices Association (CRFA) is the largest hospitality association in Canada representing more than 14,000 members controlling more than 40,000 foodservice outlets nation wide including over 2,000 members in Alberta. CRFA is a trade association established to serve and represent owners and managers of foodservice operations. Members include restaurants, quick service establishments, hotels, caterers, institutions, educators and foodservice suppliers. Approximately 75% of CRFA members are independent businesses with the remaining 25% being regional and national chains.

CRFA was founded in 1944 and is incorporated as a non-profit organization without share capital. The association is funded by membership fees and non-dues income from membership services and trade shows.



#### **ENDNOTES**

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- Robert D. Shriner, "State and Metropolitan Area Comparisons Affecting the Impact of Minimum Wage Increases", The National Restaurant Association, December 1994
- Neumark, David and William Wascher, "Employment Effects of Minimum and Subminimum Wages: Panel Data on state Minimum Wage Laws", Industrial and Labour Relations Review,
   VI 46, No.1, October 1991
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- Economics and Labour Market Research, Policy Division, Ministry of Labour, "Study of Tipping Practices in Licensed Establishments in Ontario, July 1993







# Employment Standards Regulation Review

**Minimum Wage Component** 

Presentation to SPC
Financial Planning and Human
Resources
June 17, 1998



# Purpose of the Review

- Ensure the Regulation reflects the needs of today's workplace by obtaining public input
- To meet our commitment to the regulation review process
- Obtain input on minimum wage and other provisions
- Minimum wage was last reviewed in 1991
- The Regulation as a whole has never been formally reviewed
- The purpose of the Review was to gather and evaluate information from stakeholders, including employers, employees, organized labour and associations in the various industry sectors.
- The minimum wage was last reviewed in 1991. In April 1992 it was increased by \$.50 to \$5.00 per hour.
- Although the Employment Standards Code was extensively revised on March 1, 1997, there has never been an extensive, comprehensive review of the Employment Standards Regulation as a whole.
- A review of the minimum wage was a recommendation from the Growth Summit.



### Review Issues

- Employment of persons under 18
- Special provisions for industry sectors
- Exemptions from the Code
- Minimum wage
- Employers, employees, organized labour, and associations in various industry sectors were consulted.
- Other interested Albertans were given the opportunity to provide comments during the Review process.
- The Review is ongoing with respect to the employment of persons under 18, exemptions from the Code, and the special provisions for nine different industry sectors: oilwell servicing; ambulance drivers and attendants; field services (catering, geophysical exploration, land surveying, logging and lumbering and some occupations within municipalities); highway, railway construction and brush clearing; construction; irrigation districts; nursery industry; taxi cab industry; and trucking industry.
- The Review provided an opportunity to gather information and opinion on the appropriate minimum wage rate for Alberta.
- The focus of this presentation is on the minimum wage as the Review with respect to the minimum wage is complete.

### **Key Activities and Timelines**

- Announcement (January 1998)
- Public consultation (January to April 15, 1998)
- Focus group sessions and informal presentations/meetings with stakeholders (e.g. AFL) (May 1998)
- Review of findings (April 15 to June 1998)
- Stakeholder meetings (e.g. industry sectors)
   (May 1998 to Spring 1999, as necessary)
- News release distributed to all provincial media January 15, 1998.
- Albertans were invited to participate in the Review through ads in daily newspapers and post-secondary publications.
- Albertans were also invited to participate via the Internet. Individuals could respond "on-line" through the Alberta Labour home page.
- Review packages were mailed directly to 3,000 individuals, employers, and associations and 4,000 additional packages were distributed on request.
- Review packages were also available at all Alberta Labour offices and all MLA constituency offices.
- 33 newspaper articles have appeared in Alberta's daily and weekly newspapers since the Review was announced.
- All Employment Standards correspondence included an insert on the Review, and the Employment Standards Counseling Unit's automated inquiry system contained a message informing callers on how to participate.



## Participation in the Review

- 7000 discussion papers and questionnaires distributed to Albertans
- 731 questionnaires were returned (10% response rate)
- 549 returned questionnaires addressed minimum wage
- · Focus group sessions
- Submissions to the Minister of Labour and the Review team
- · Of the questionnaire respondents
  - 35% were employers or representing employers
  - 30% were employees or representing employees
  - 35% did not specify if they were employers or employees

Overall questionnaire response rate was 10%. Marketing professionals consider a response rate of 4 - 6% a good rate of return for an addressed mail campaign.

- Focus group sessions on minimum wage and the employment of young persons were held in Edmonton, Calgary, and Grande Prairie. These sessions were conducted by an independent consultant.
  - Participants were randomly selected. Each focus group had approximately 12 participants.
  - Participants were at least 16 years of age. There was a mixture of gender, age and professions in all of the sessions.
- Discussion groups on minimum wage and the employment of young persons were held in Edmonton, Calgary and Camrose. These discussion groups were conducted by the Employment Standards Review Team.
  - Participants were at least 15 years of age. There was a mixture of gender, age, and employers and employees in all groups.
  - Participants were selected from individuals who indicated on their questionnaire a willingness to participate in a discussion group if asked.
  - Each discussion group had approximately 12 participants.
- The Minister received a number of letters on the minimum wage review. At their request, the Alberta Federation of Labour, Canadian Restaurant and Food Services Association, and the Alberta Immigrant Women's Association made presentations to the Review team.

# Summary of Review findings

- Strong support for having a minimum wage
- Strong support for increasing minimum wage
- Divided opinion on student minimum wage differential
- 97% of questionnaire respondents said Alberta should have a minimum wage.
- 86% of questionnaire respondents said the current minimum wage should be increased.
- Suggested minimum wage rates varied, ranging between \$5 \$10.
- There was wide recognition that increases to the minimum wage will impact business and some suggested that any increase be phased in.
- It was seen as unfair that students under 18 with good work experience be subject to a lower minimum wage than older employees with similar or less experience. 57% of questionnaire respondents said the differential should be removed.
- Others viewed a lower minimum wage rate for students under 18 as an incentive for employers to hire young workers and enable them to gain experience and training. 43% of questionnaire respondents said that the differential is appropriate.
- The Review team's work on the minimum wage component is now complete. Our findings have been relayed to the Minister for consideration by the Government. The team will continue its work on the remainder of the Regulation with a completion target date for the spring of 1999.

# Overview of Minimum Wages in G-7 Countries\*

- Only Canada, France, Japan and the United States have minimum wages
- In Canada, Japan and the United States the minimum wage varies by region
- In France the minimum wage is standard for workers in all regions

\*G-7 countries: Canada, France, Germany, Italy, Japan, the United Kingdom and the United States

- Among the G-7 countries, only Canada, France Japan and the United States set statutory minimum wage rates.
- Germany, Italy and the United Kingdom do not have statutory minimum wages.
- In Canada, Japan and the US, the minimum wage varies by region. In Japan minimum wages are set for each of the 47 regions and 257 industries.
- In France the minimum wage is standard for workers in all regions.
- In the United Kingdom, the government has recently announced its intention to introduce legislation for establishing a national minimum wage.
- Although Germany does not have a minimum wage it does have collective bargaining agreements that affect almost every industry group.
- Collective agreements at the national or sectoral levels often establish effective minimum wages in countries with no statutory provisions.





### **FACT SHEET**

### CHARACTERISTICS OF MINIMUM (NEAR MINIMUM) WAGE PERSONS and JOBS IN ALBERTA, 1994

In Alberta, the minimum (near minimum) hourly wage in effect since April 1992 is \$5.00 (\$5.25), except for students under age 18 for whom the minimum (near minimum) hourly wage is \$4.50 (\$4.73).

Using the "weighted" data obtained from the 1994 Survey of Labour and Income Dynamics (SLID) Wave 2, produced by Statistics Canada, minimum (near minimum) wage jobs and persons in Alberta, 1994 have been profiled.

### **Highlights**

Results from the SLID analysis indicates that:

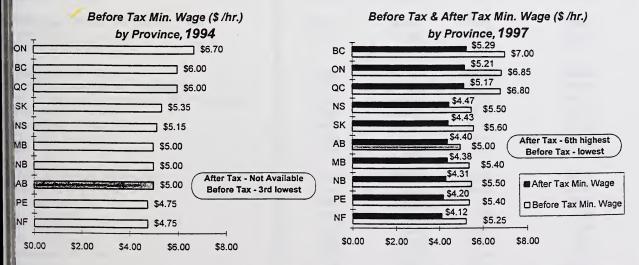
- 2.24% (2.68%) of all persons worked in 1994 were minimum (near minimum) wage persons in Alberta.
- 4.26% (4.74%) of all jobs in 1994 were minimum (near minimum) wage jobs in Alberta.

### Of those minimum (near minimum) wage persons:

- 69% (67%) held one job, 23% (24%) held two jobs in the reference year;
- 61% (63%) were female;
- 73% (70%) were single persons;
- 69% (67%) were below age 24; 27% (25%) were between the ages of 24-43;
- 80% (76%) worked less than full-time-equivalent hours in a year;
- 50% (49%) had less than high school graduation education; 35% (36%) had some post secondary education;
- 51% (48%) had less or equal to 1 year working experience; 15% (14%) had 1 to 5 years working experience;
- 27% (24%) were from single parent family with children age under 25;
- 76% (76%) were from family with 3 to 6 family members;
- 85% (85%) contributed one quarter, and 9% (8%) contributed more than 75% of family income in families with children age 19 and under,
- 56% (56%) contributed one quarter, and 10% (7%) contributed more than 75% of family income in families without children age 19 and under.

### Of those minimum (near minimum) wage jobs:

- 61% (58%) were part-time jobs;
- 99% (99%) were occupied by non-unionized members not covered by CBAs;
- 99% (98%) were in the private sector industry;
- 91% (92%) were employed in the service producing industry sector;
- 62% (65%) were employed in the service industry; of these,
- 43% (47%) were employed in the accommodation and food service industry group;
- 27% (25%) were employed in the trade industry; of these,
- 24% (22%) were employed in the retail trade industry group.



- In 1994, Alberta's minimum hourly wage rate (\$5.00), was the third lowest in Canada, behind PEI and Newfoundland.
- In 1997, Alberta's minimum hourly wage rate (\$5.00), was the lowest in Canada.



### CHARACTERISTICS OF MINIMUM AND NEAR MINIMUM WAGE\* PERSONS, 1994 PERSON FILE

PERSONS	A	Iberta	Canad	la**
PERSUNS	Min. Wage PERSONS	Near Min. Wage PERSONS	Min. Wage PERSONS	Near Min. Wage PERSONS
Min. Hourly Wage Rate (\$), 1994	\$5.00			
% of Min. Wage Persons in 1994 (SLID)	2.24%		4.46%	
Near Min. Hourly Wage Rate (\$), 1994 % of Near Min. Wage Persons in 1994 (SLID)		\$5.25 2.68%		6.46%
Percent Distribution (%):	%	%	%	%
No. of Jobs Held in Reference Year	100.00	100.00	100.00	100.00
1 Job	69.41		77.80	75.43
2 Jobs	. 23.23	24.09	19.03	20.17
3 to 6 Jobs	7.36	8.90	3.17	4.40
N/A	0.00	0.00	0.00	0.00
Gender	100.00	100.00	100.00	100.00
Male	38.66		36.49	36.53
Female	61.34		63.51	63.47
Marital Status	100.00		100.01	100.00
Single	72.63		66.21	66.72
Married	17.61		25.60	26.03
Once Married	8.73		8.13	7.10
N/A	1.03	0.86	0.07	0.15
Age	100.00	99.99	100.00	100.01
Age 18 and under	49.99	45.62	29.84	29.96
Age 19-23	18.83	21.04	28.86	29.54
Age 24-33	17.71	14.81	18.61	18.94
Age 34-43	9.30	10.27	9.53	8.91
Age 44-53	3.59		5.82	6.18
Age 54 and above	0.58	3.80	7.34	6.48
Total Hours Worked (All Jobs) in a Year	100.00	100.00	100.00	100.00
Less or equal to 1,508 hours	79.69	76.36	78.36	76.86
More than 1,508 hours (FTE***)	20.31	23.64	21.64	23.14
Education Attainment	99.99	100.00	100.01	100.00
0-10 Yrs., Elementary and Secondary	25.22		19.56	17.89
11-13 Yrs. Elementary abd Secondary, Not Graduated	24.46		15.74	16.51
High School, Graduated	10.49		13.89	15.18
Some Post High School	34.63		42.44	42.68
University and above	0.00		5.51	5.29
N/A	5.19	4.34	2.87	2.45
Years of Working Experience	100.01	I 100.00	100.00	100.00
Less or equal to 1 Year	51.41		48.62	49.39
1.1 to 5 Years	14.90		10.71	10.40
5.1 to 10 Years	8.37			6.88
10.1 to 20 Years	3.04		6.42	
20.1 to 30 Years	0.00		2.69	
More than 30.1 Years	0.00			
N/A	22.29			22.93
	•			continued
All controls and the second se				

Page 2

Source: Survey of Labour and Income Dynamics (SLID), 1994 (Wave2), Statistics Canada



### CHARACTERISTICS OF MINIMUM AND NEAR MINIMUM WAGE\* PERSONS, 1994 PERSON FILE

PERSONS	A	Iberta	Canad	la**
PERSONS	Min. Wage PERSONS	Near Min. Wage PERSONS	Min. Wage PERSONS	Near Min. Wage PERSONS
Percent Distribution (%):	%	%	%	%
Family (Type) Composition	100.00	99.99	100.00	100.00
Unattached Individual	6.56	5.49	9.69	8.87
Married or commom law - no childrem	7.68	9.74	8.40	8.57
Married or common law - with children	47.11	46.85	48.91	47.55
Single parent - with children age under 25	26.52	23.63	16.00	14.33
Other family type	6.83	9.85	14.38	17.92
N/A	5.30	4.43	2.62	2.76
Family Size	100.00	100.00	100.00	100.00
1 member	6.56	5.49	9.69	8.87
2 members	13.39	15.21	17.42	17.38
3-6 members	76.16	76.05	70.09	71.35
7 members and above	3.89	3.25	2.80	2.40
Income Distribution to Families WITH Children	100.01	100.01	100.00	100.00
0-25% family income	84.58	84.79	88.75	51.26
26-50% family income	2.80	3.98	7.40	25.63
51-75% family income	4.12	3.67	1.53	9.14
76-100% family income	8.51	7.57	2.32	13.97
Income Distribution to Families WITHOUT Children	99.99	100.00	100.00	100.00
0-25% family income	56.40	55.52	87.40	50.79
26-50% family income	25.13	21.90	7.51	26.53
51-75% family income	8.87	15.72	2.34	8.76
76-100% family income	9.59	6.86	2.75	13.92

<sup>\*</sup>Near minimum wage rate is defined as 5% above and below the provincial legislated minimum hourly wage rate. For example, as of December 31, 1994, the Alberta minimum wage rate was \$5.00 (\$4.50 for students under age 18), the near minimum hourly wage rate was calculated as \$5.25 (\$4.73) respectively.

### Notes:

N/A = Not Applicable

- (1) The PERSON data files contain information on every sample member aged 16 or over.
- E.g. A sample person without a job during the reference year would be represented with one record on the PERSON file but no record on the JOB file.
- 2) The wage rate used in this analysis is the "composite hourly wage for all jobs during the reference year".
- (3) This analysis was based on "weighted" SLID variables.
- 4) Total percentages may not add up to 100 due to rounding errors.

<sup>\*\*</sup> Canada estimates are based on the 10 provinces only.

<sup>\*\*\*</sup> A person is considered to be employed full-time if his/her usual hours at the main job are greater than 29 hours per week.

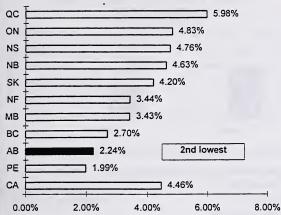
Therefore, a person is considered to be a full-time equivalent (FTE) employee if all jobs worked in a year is greater than 1,508 hrs.

(i.e., 29hr. \* 52 weeks).

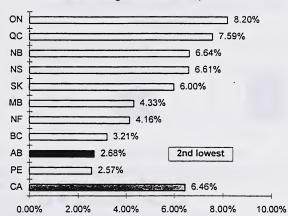


### Minimum and Near Mimimum Wage PERSONS as a Percent of All Persons Who Worked BY PROVINCE, 1994





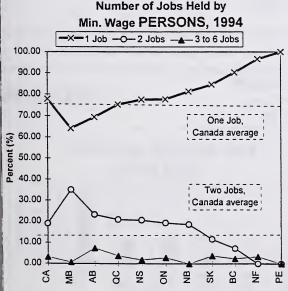
### Near Min. Wage PERSONS, 1994



- In 1994, there were <u>2.24% minimum wage persons</u> among all persons who worked in Alberta, ranking the second lowest in the country, compared to 4.46% in Canada.
- In 1994, there were <u>2.68% near minimum wage persons</u> among all persons who worked in Alberta,
   ranking the second lowest in the country, compared to 6.46% in Canada.

### PERSONS

Percent of Number of Jobs Held in the Reference Year by Minimum and Near Minimum Wage PERSONS
BY PROVINCE, 1994



### Near Min. Wage PERSONS, 1994 -X-1 Job -O-2 Jobs -▲-3 to 6 Jobs 100.00 90.00 80.00 70.00 One Job. Canada average হ 60.00 50.00 a 40.00 Two Jobs. Canada average 30.00 20.00 10.00 0.00

8 8

Number of Jobs Held by

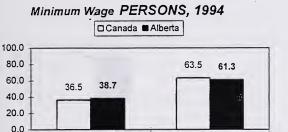
In 1994, there were 69% minimum wage persons in Alberta who held one job, 23% who held two jobs and 7% who held more than two jobs, compared to about 78%, 19% and 3% in Canada respectively.

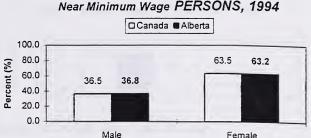
- In 1994, there were 67% near minimum wage persons in Alberta who held one job, 24% who held two jobs and 9% who held more than two jobs, compared to about 75%, 20% and 4% in Canada respectively.

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### Minimum and Near Minimum Wage PERSONS as a Percent of All Persons Who Worked BY GENDER, Alberta and Canada, 1994





- In 1994, about two-third of minimum and near minimum wage persons in Canada and Alberta were female.

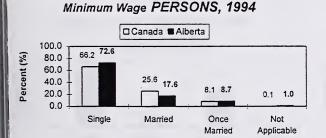
Female

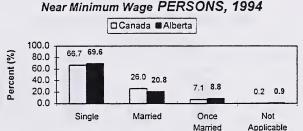
### **PERSONS**

Male

Percent (%)

Minimum and Near Minimum Wage PERSONS as a Percent of All Persons Who Worked BY MARITAL STATUS, Alberta and Canada, 1994

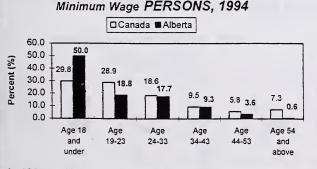


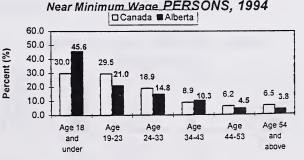


- In 1994, 66% of minimum wage persons were single in Canada, compared to 73% in Alberta.
- In 1994, 67% of near minimum wage persons were single in Canada, compared to 70% in Alberta.

### **PERSONS**

Minimum and Near Minimum Wage PERSONS as a Percent of All Persons Who Worked By AGE, Alberta and Canada, 1994





In 1994, 30% of minimum wage persons in Canada were below age 18, compared to 50% in Alberta.

In 1994, 30% of near minimum wage persons in Canada were below age 18, compared to 46% in Alberta.

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Minimum and Near Minimum Wage PERSONS
as a Percent of All Persons Who Worked
By TOTAL HOURS WORKED, Alberta and Canada, 1994

### Minimum Wage PERSONS, 1994 □ Canada ■ Alberta 100.0 80.0 60.0 40.0 20.0 0.0

1,508 hrs.

## Near Minimum Wage PERSONS, 1994 Canada Alberta 100.0 80.0 76.9 76.4 23.1 23.6 20.0 1,508 hrs. Over 1,508 hrs.

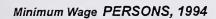
 In 1994, 78% minimum wage persons in Canada worked less than full-time-equivalent hours in a year, compared to 80% in Alberta.

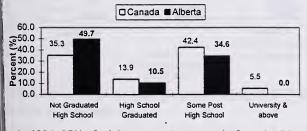
Over 1,508 hrs.

 In 1994, 77% near minimum wage persons in Canada worked less than full-time-equivalent hours in a year, compared to 76% in Alberta.

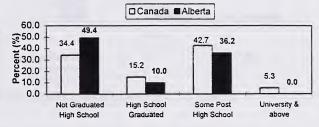
### **PERSONS**

Minimum and Near Minimum Wage PERSONS
as a Percent of All Persons Who Worked
BY EDUCATION ATTAINMENT. Alberta and Canada, 1994





### Near Minimum Wage PERSONS, 1994



- In 1994, 35% of minimum wage persons in Canada did not graduate from high school, compared to 50% in Alberta.
- In 1994, 34% of near minimum wage persons in Canada did not graduate from high school, compared to 49% in Alberta.

### PERSONS

Minimum and Near Minimum Wage PERSONS

as a Percent of All Persons Who Worked

BY YEARS OF WORKING EXPERIENCE, Alberta and Canada, 1994

### Minimum Wage PERSONS, 1994



### Near Minimum Wage PERSONS, 1994



In 1994, 59% of minimum wage persons in Canada had less than 5 years working experience, compared to 66% in Alberta.

In 1994, 60% of near minimum wage persons in Canada had less than 5 years working experience, compared to 61% in Alberta.

Page 6

Source: Surveu of Labour and Income Dynamics (SLID),

1994 (Wave2), Statistics Canada

Flepaled

Prepared by: Alberta Labour, Information Services January 20, 1998



60.0

40.0

20.0

0.0

9.7

6.6

Unattached

individual

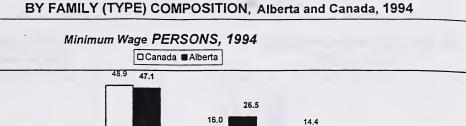
8 4

Married or

common law couple

7.7

### Minimum and Near Minimum Wage PERSONS as a Percent of All Persons Who Worked BY FAMILY (TYPE) COMPOSITION, Alberta and Canada, 1994



Single parent

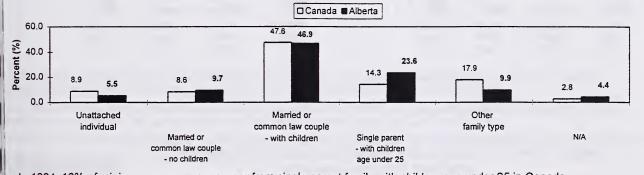
- with children

### Near Minimum Wage PERSONS, 1994

Married or

common law counte

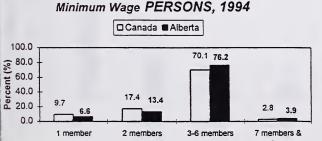
- with children

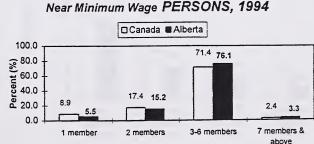


- In 1994, 16% of minimum wage persons were <u>from</u> single parent family with children age under 25 in Canada, compared to 27% in Alberta.
- In 1994, 14% of near minimum wage persons were <u>from</u> single parent family with children age under 25 in Canada, compared to 24% in Alberta.

### PERSONS

Minimum and Near Minimum Wage PERSONS as a Percent of All Persons Who Worked By FAMILY SIZE, Alberta and Canada, 1994





5.3

2.6

N/A

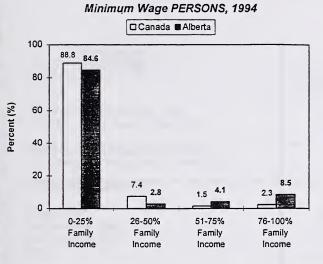
Other

family type

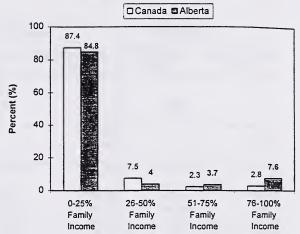
- In 1994, 70% of minimum wage persons were from family with 3 to 6 family members in Canada, ompared to 76% in Alberta.
- In 1994, 71% of near minimum wage persons were <u>from</u> family with 3 to 6 family members in Canada, ompared to 76% in Alberta.



### Contribution of Minimum/Near Minimum Wage Earner to Family\* Income in Families <u>WITH CHILDREN</u>, Alberta and Canada, 1994



### Near Minimum Wage PERSONS, 1994

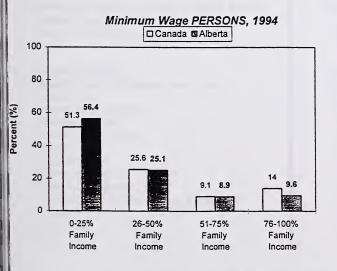


- In 1994, 89% of minimum wage persons contributed one quarter of family income in families with children age 19 and under in Canada, ompared to 85% in Alberta. 2% contributed more than 75% of family income in Canada, compared to 9% in Alberta.

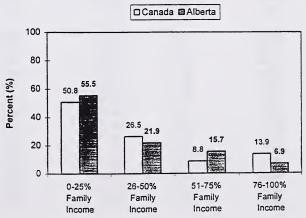
In 1994, 87% of near minimum wage persons contributed one quarter of family income in <u>families with children</u> age 19 and under in Canada, ompared to 85% in Alberta. 3% contributed more than 75% of family income in Canada, compared to 8% in Alberta.

### PERSONS

### Contribution of Minimum/Near Minimum Wage Earner to Family\* Income in Families <u>WITHOUT CHILDREN</u>, Alberta and Canada, 1994



### Near Minimum Wage PERSONS, 1994



In 1994, 51% of minimum wage persons contributed one quarter of family income in families without children age 19 and under in Canada, impared to 56% in Alberta. 14% contributed more than 75% of family income in Canada, compared to 10% in Alberta.

In 1994, 51% of near minimum wage persons contributed one quarter of family income in <u>families without children</u> age 19 and under in Canada, impared to 56% in Alberta. 14% contributed more than 75% of family income in Canada, compared to 7% in Alberta.

Economic family with at least two family members (i.e., excluding unattached individuals).



### CHARACTERISTICS OF MINIMUM AND NEAR MINIMUM WAGE\* JOBS, 1994 JOB FILE

IOPS	All	berta	Canad	la**
JOBS	Min. Wage JOBS	Near Min. Wage JOBS	Min. Wage JOBS	Near Min. Wage JOBS
Min. Hourly Wage Rate (\$), 1994 % of Min. Wage Jobs in 1994 (SLID)	\$5.00 4.26%		6.39%	
Near Min. Hourly Wage Rate (\$), 1994 % of Near Min. Wage Jobs in 1994 (SLID)		\$5.25 4.74%		9.05%
Percent Distribution (%):	. %	%	%	%
Type of Work Full-time Work Status Part-time Work Status	100.00 37.14 60.65	100.00 39.81 58.21	<b>100.00</b> 41.39 55.51	<b>100.00</b> 43.11 54.40
N/A	2.21	1.98	3.10	2.49
Public/Private Sector Public Sector Private Sector	<b>100.00</b> 1.81 98.19	<b>100.00</b> 1.62 98.38	<b>100.00</b> 7.98 92.02	<b>100.00</b> 6.61 93.39
Union Membership Yes, member of a union and covered by a CBA*** Yes, covered by a CBA, but not a union member No, not a member of a union nor covered by a CBA N/A	100.00 0.95 0.00 99.05 0.00	100.00 0.86 0.00 99.14 0.00	100.00 3.74 0.72 94.07 1.47	0.77
Goods and Service Producing Industry Sector Goods Producing Industry Service Producing Industry N/A	100.00 7.84 91.24 0.92	99.99 7.04 92.13 0.82	100.00 13.57 85.69 0.74	<b>100.01</b> 12.91 86.47
Industry Group**** Service Others - Accommodation & Food Retail Trade Service Others - Others	100.00 43.41 23.67 15.66	100.01 46.77 21.52 15.18	100.00 29.67 27.31 13.35	30.95 28.71 11.59
Wholesale Trade Service Others - Mics. Manufacturing Construction Primary Resources	3.37 3.19 3.29 3.33 1.22	3.03 2.86 2.96 2.99 1.10	8.12 1.54	4.07 7.21 1.80
Public Administration Transportation,Communications & Utilities Education Health Care	1.22 1.23 0.13 0.58 0.00	1.10 1.11 1.15 0.52 0.00	4.20 1.62 2.54	3.55 1.46 2.20
N/A	0.92	0.82		

continued...



### CHARACTERISTICS OF MINIMUM AND NEAR MINIMUM WAGE\* JOBS, 1994 JOB FILE

### N/A = Not applicable

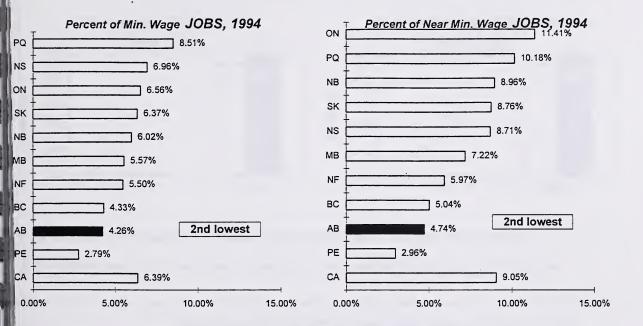
- \*Near minimum wage rate is defined as 5% above and below the provincial legislated minimum hourly wage rate. For example, as of December 31, 1994, the Alberta minimum wage rate was \$5.00 (\$4.50 for students under age 18), the near minimum hourly wage rate was calculated as \$5.25 (\$4.73) respectively.
- \*\* Canada estimates are based on the 10 provinces only.
- \*\*\* Collective Bargaining Agreement (CBA).
- \*\*\*\* Each industry group is defined according to the 1970 Standard Industrial Classification (SIC).

### Notes:

- (1) The JOB data files contain a separate record for each job held by all person represented on the PERSON file.
- E.g. A sample person without a job during the reference year would be represented with one record on the PERSON file but no record on the JOB file.
- (2) The wage rate used in this analysis is "the end hourly wage rate at the end of the reference year 1994".
- (3) This analysis was based on "weighted" SLID variables.
- (4) Total percentages may not add up to 100 due to rounding errors.



### Minimum and Near Mimimum Wage JOBS as a percent of All JOBS By PROVINCE, 1994



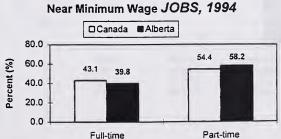
In 1994, 4.26% of all jobs were minimum wage jobs in Alberta, ranking the second lowest in the country, compared to 6.39% in Canada.

In 1994, <u>4.74% of all jobs were near minimum wage jobs in Alberta</u>, ranking the second lowest in the country, compared to 9.05% in Canada.

JOBS=

Minimum and Near Mimimum Wage JOBS as a percent of All JOBS By FULL TIME / PART TIME WORK STATUS,
Alberta and Canada, 1994





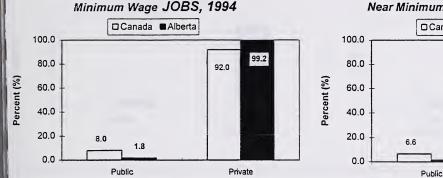
n 1994, 56% of minimum wage jobs in Canada were part-time jobs, compared to 61% in Alberta.

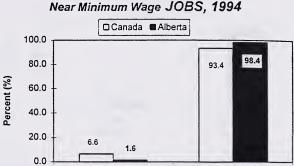
n 1994, 54% of near minimum wage jobs in Canada were part-time jobs, compared to 58% in Alberta.



**JOBS** 

### Minimum and Near Mimimum Wage JOBS as a percent of All JOBS By PRIVATE / PUBLIC SECTOR, Alberta and Canada, 1994





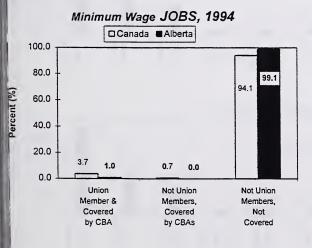
Private

In 1994, 92% of minimum wage jobs in Canada were in the private sector, compared to 98% in Alberta.

In 1994, 93% of near minimum wage jobs in Canada were in the private sector, compared to 98% in Alberta.

### JOBS

### Minimum and Near Mimimum Wage JOBS as a percent of All JOBS By UNION MEMBERSHIP, Alberta and Canada, 1994



### Near Minimum Wage JOBS, 1994 □Canada ■Alberta 100.0 80.0 99.1 94.3 Percent (%) 60.0 40.0 20.0 3.8 0.9 0.8 0.0 0.0 Not Union Not Union Union Members. member & Members, Covered Covered Not by CBA by CBAs Covered

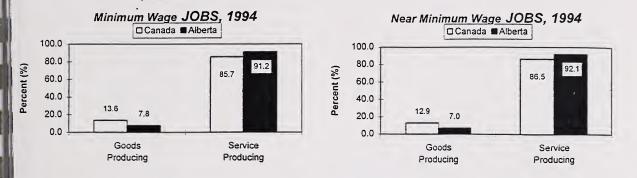
In 1994, 94% of minimum wage jobs in Canada were non-unionized and not covered under any collective pargaining agreements (CBAs), compared to 99% in Alberta.

In 1994, 94% of near minimum wage jobs in Canada were non-unionized and not covered under any collective pargaining agreements (CBAs), compared to 99% in Alberta.



**JOBS** 

### Minimum and Near Mimimum Wage JOBS as a percent of All JOBS BY GOODS/SERVICE PRODUCING INDUSTRY SECTOR, Alberta and Canada, 1994

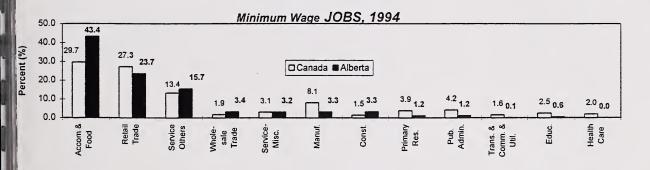


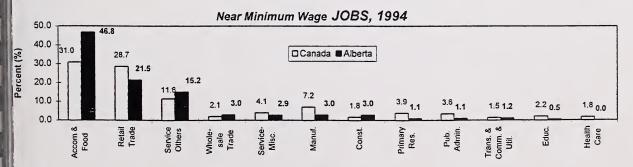
In 1994, 86% of minimum wage jobs in Canada were in the service producing sector, compared to 91% in Alberta.

In 1994, 87% of near minimum wage jobs in Canada were in the service producing sector, compared to 92% in Alberta.

### **JOBS**

### Minimum and Near Mimimum Wage JOBS as a percent of All JOBS BY INDUSTRY GROUP, Alberta and Canada, 1994





In 1994, 30% of minimum wage jobs in Canada were in the service - accommodation and food industry group, compared to 43% in Alberta.

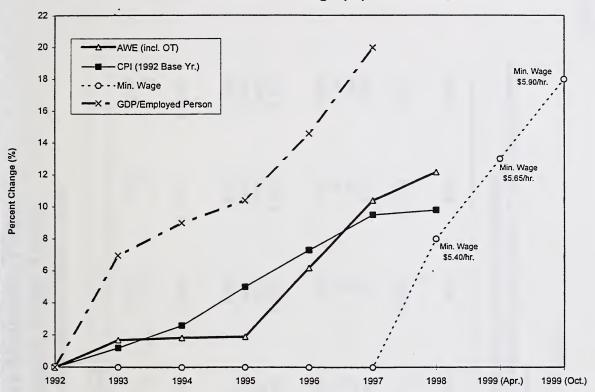
In 1994, 31% of near minimum wage jobs in Alberta were in the service - accommodation and food industry group, compared to 47% in Alberta.







### ECONOMIC INDICATORS Cumulative Percent Change (%) from 1992, Alberta



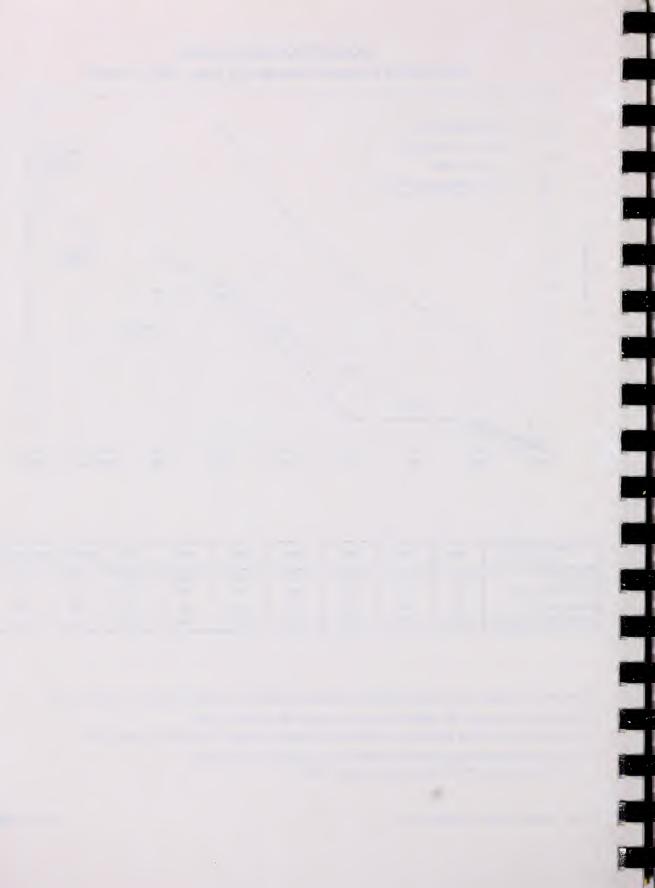
Cumulative % change from 1992	1992	1993	1994	1995	1996	1997	1998	1999 (Apr.)	1999 (Oct.)
AWE (incl OT)*	0%	2%	2%	2%	6%	10%	12%	N/A	N/A
CPI (1992 Base Yr.)**	0%	1%	3%	5%	7%	10%	10%	N/A	N/A
Minimum Wage***	0%	0%	0%	0%	0%	0%	8%	13%	18%
GDP/Employed Person****	0%	7%	10%	10%	14%	19%	N/A	N/A	N/A

<sup>\*</sup> Alberta Industrial Aggregate, Average Weekly Earnings Including Overtime (AWE incl. OT), Annual Average 1992 -1998 (Jan. to Feb.)

<sup>\*\*</sup> Alberta Consumer Price Index (CPI, 1992 Base Year), Annual Average 1992 -1998 (Jan. to April)

<sup>\*\*\*</sup> Alberta Minimum Wage Rate at \$5.40 effective October 1998, \$5.65 effective April 1999, and \$5.90 effective October 1999

<sup>\*\*\*\*</sup> Alberta Gross Domestic Product (GDP) at Market Price in Current Dollars per Employed Person (Annual Average 1992 to 1997 GDP data revised as of May 15, 1998)



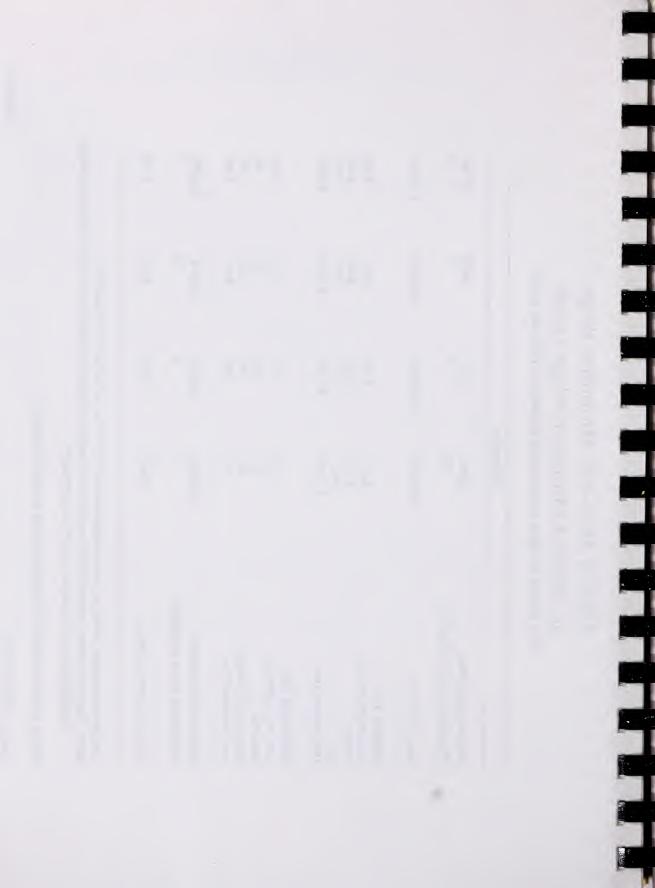
## Alberta After-Tax Minimum Wage at Selected Minimum Wage Levels (For single full time one income earners at 1998 tax rates)

	Alberta			
Minimum Wage Rate Provincial Rank (High=1)	\$5.00	\$5.40 7	\$5.65	\$5.90
Salary (2000 hrs)	\$10,000	\$10,800	\$11,300	\$11,800
Federal Tax				
Personal Income Tax	\$464	\$599	\$684	\$768
CPP/EI	\$478	\$525	\$555	\$584
GST	\$197	\$210	\$213	\$222
Total Federal Tax	\$1,138	\$1,335	\$1,451	\$1,574
Provincial Tax				
Personal Income Tax	\$0	\$41	66\$	\$158
Sales Tax	\$0	\$0	\$0	\$0
Health Care Premiums	\$0	\$0	\$82	\$82
Total Provincal Tax	\$0	\$41	\$181	\$240
Disposable Income*	\$8,862	\$9,425	89,668	\$9,986
Provincial Rank (High=1)	80	4	4	4
After Tax Minimum Wage	\$4.43	\$4.71	\$4.83	\$4.99

NOTE: These comparisons assume that all income is from employment and only personal, CPP and El credits are claimed. \* Disposable income is defined as income minus personal income tax, payroll taxes and sales taxes. No shifting of payroll taxes are used for this comparison.

NOTE: Personal Income Tax Estimated Using the 1998 Tax Rates

Source: Alberta Treasury



# Minimum Wage Comparisons (1998)

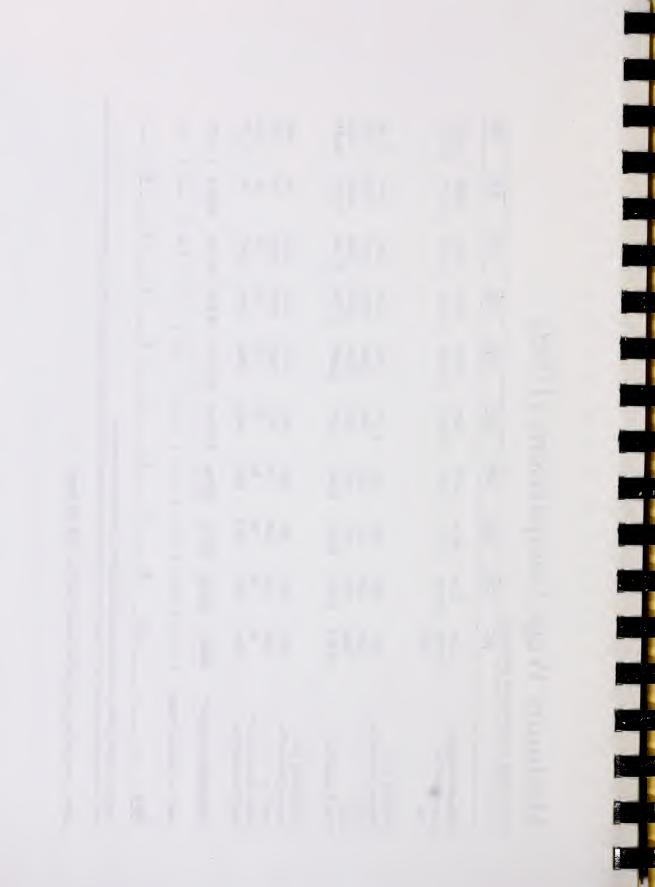
(For single one income earners)

in Single one month	200000								-	
	볼	PE	SN	NB	တ္ထ	O	MB	SK	AB	BC
Minimum Wage Rate	\$5.25	\$5.40	\$5.50	\$5.50	\$6.80	\$6.85	\$5.40	\$5.60	\$5.00	\$7.1
Salary (2000 hrs)	\$10,500	\$10,800	\$11,000	\$11,000	\$13,600	\$13,700	\$10,800	\$11,200	\$10,000	\$14,300
Time	2000									
Federal Tax										
Personal Income Tax	\$548	\$299	\$633	\$633	\$1,073	\$1,090	\$299	\$667	\$464	\$1,19
CPP/EI	\$508	\$525	\$537	\$537	\$690	969\$	\$525	\$549	\$478	\$13
GST	\$188	\$195	\$213	\$197	\$282	\$284	\$201	\$200	\$197	\$294
Total Federal Tax	\$1,244	\$1,319	\$1,383	\$1,367	\$2,045	\$2,070	\$1,326	\$1,415	\$1,138	\$2,21
1										
Provincial Tax										
Personal Income Tax	\$373	\$351	\$29	\$380	\$427	\$459	\$221	\$406	\$0	\$54
Sales Tax	\$393	\$442	\$380	\$385	\$423	\$409	\$260	\$202	\$0	\$29
Health Care Premiums	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$173
Total Provincal Tax	\$766	\$793	\$439	\$765	\$850	\$869	\$481	\$608	\$0	\$1,01
Disposable Income*	\$8,490	\$8,688	\$9,178	\$8,868	\$10,705	\$10,761	\$8,994	\$9,176	\$8,862	\$11,073
After Tax Minimum Wage	\$ 4.25	\$ 4.34	\$ 4.59	\$ 4.43	\$ 5.35	\$ 5.38	\$ 4.50	\$ 4.59	\$ 4.43	\$ 5.54
Rank	10	6	4	7	က	2	9	5	8	

<sup>\*</sup> Disposable income is defined as income minus personal income tax, payroll taxes and sales taxes.

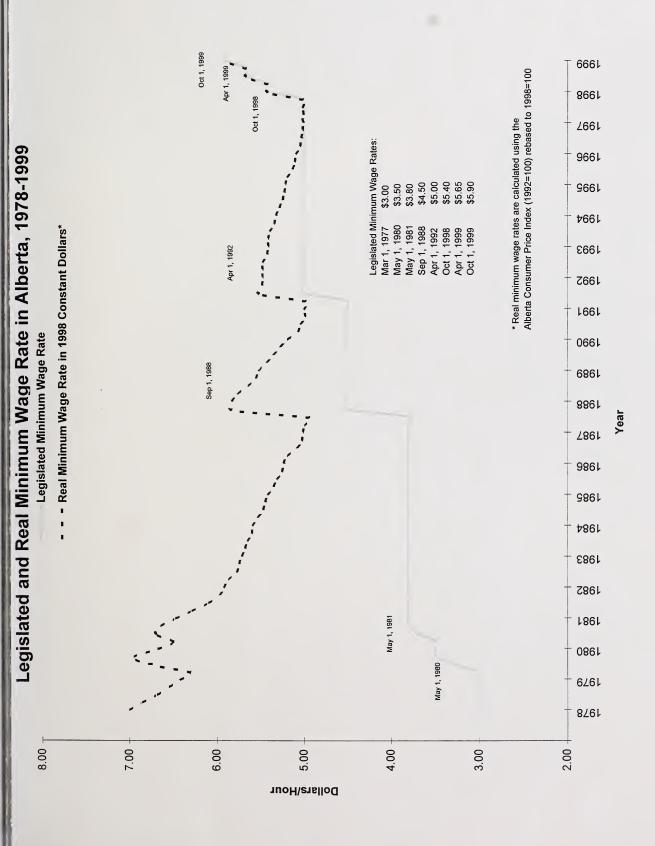
NOTE: Personal Income Tax Estimated Using the 1998 Tax Rates

NOTE: This comparisons assumes that all income is from employment and only personal, CPP and El credits are claimed. No shifting of payroll taxes are used for this comparison.













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